

**SB**

**54**

<TARGET><BILL>SB 54</BILL><SUBJECT>SB  
54</SUBJECT><COMM>SSTA29</COMM></TARGET>

# ALASKA STATE LEGISLATURE

WORLD TRADE

RULES COMMITTEE

ADMIN REG REVIEW

EDUCATION COMMITTEE



WHILE IN SESSION  
STATE CAPITOL  
JUNEAU, AK 99801  
(907) 465-4930

•  
WHILE IN ANCHORAGE  
716 W. 4TH AVE  
ANCHORAGE, AK 99501  
(907) 269-0174

SENATOR BERTA GARDNER  
SENATE MINORITY LEADER

To: Senator Bill Stoltze  
Chair, Senate State Affairs Committee

From: Senator Berta Gardner *BG*  
SB 54 Prime Sponsor

Subject: Hearing Request for SB 54  
An Act Requiring a Report on Untested Sexual Assault Examination Kits; and  
Providing for an Effective Date

Date: March 5, 2015

I am respectfully requesting a hearing in the Senate State Affairs Committee on Senate Bill 54, An Act Requiring a Report on Untested Sexual Assault Examination Kits; and Providing for an Effective Date. Senate Bill 54 is an audit of the untested sexual assault examination kits that are in possession of law enforcement and the state department charged with the maintenance, storage, and preservation of these sexual assault examination kits.

This audit shall be followed by a report, in writing, to the attorney general the number of these untested kits and the date on which each kit was collected, which will be transmitted to the president of the senate and speaker of the house by September 1, 2015.

In the packet, I have included—

Section One:

- Bill Version A
- Sponsor Statement
- Legislative Research Report Dated 2/13/15

Section Two:

- Rape Kit Action Project Statement on SB54
- 2015 Choose Respect Legislative Report
- National Institute of Justice Unanalyzed Evidence in Sexual Assault Cases

Section Three:

- *The Atlantic Magazine*, “Rapists Go Free While Rape Kits Go Untested”
- *The New York Times*, “No Longer Ignored, Evidence Solves Rape Cases Years Later”
- *Business Insider*, “Why Rape Is Much More Common In Alaska”
- *Forbes*, “The Most Dangerous US Cities for Women”
- *The Atlantic Magazine*, “Rape Culture in the Alaskan Wilderness”

If necessary, other backup will be forthcoming. Please contact my staffer, Katie Bruggeman, with any questions or concerns.

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SENATOR BERTA GARDNER  
SENATE MINORITY LEADER

*SB54*

*An Act Relating to the Mandate of an Annual Audit of  
Untested Sexual Assault Forensic Evidence*

Anyone paying attention to our state crime statistics is aware that Alaska's sexual assault rate is three times the national average.

The 2010 Alaska Victimization Survey administered by the University of Alaska, Anchorage lists that a majority of Alaskan women, 59%, have been victims of sexual assault, intimate partner violence, or both.

And a recent report in *Forbes Magazine* listed Anchorage and Fairbanks, based on current sex assault statistics, as the number 1 and 2 most dangerous cities for women in the U.S.

This epidemic continues to persist and worsen, year after year, leaving Alaskans fearful of their basic safety, and for good reason. Analysts often focus on how to prevent causes of sex assault, but after these crimes are committed, how effective is our process of investigation? Such investigation usually begins with a routine forensic procedure that involves the collecting and testing of DNA to become the contents of a sexual assault examination kit, or what is commonly called a "rape kit." Recent studies have emerged that shed light on massive backlogs of untested rape kits in almost every state.

A legislative research report regarding Alaska's State Crime Lab provided information by Orin Dym, Forensic Manager. He stated that it is currently "not known" how many untested rape kits are in possession of state and local law enforcement; it is currently "not known" if this problem is broken down on a geographical basis; it is currently "not known" if untested rape kits have caused additional hardship to the victims of these assaults; and it is "not known" how Alaska's rate of testing compares, for better or worse, to other states.

In light of the rampant sex assault epidemic in Alaska, it is unacceptable that our own state crime lab cannot tell us the current status of forensic testing following these assaults. Victims of rape deserve the same comprehensive forensic testing as victims of other crimes, and SB54 is one step toward reaching that goal.

# Fiscal Note

State of Alaska  
2015 Legislative Session

Bill Version: SB 54  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: SB054-LAW-CRIM-03-20-15  
Title: SEXUAL ASSAULT EXAMINATION KITS  
Sponsor: GARDNER  
Requester: Senate State Affairs

Department: Department of Law  
Appropriation: Criminal Division  
Allocation: Criminal Justice Litigation  
OMB Component Number: 2202

### Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2016 Appropriation Requested	Included in Governor's FY2016 Request	Out-Year Cost Estimates					
			FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Services								
Commodities	15.0							
Capital Outlay								
Grants & Benefits								
Miscellaneous								
<b>Total Operating</b>	<b>15.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

### Fund Source (Operating Only)

1004 Gen Fund	15.0							
<b>Total</b>	<b>15.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

### Positions

Full-time								
Part-time								
Temporary								

<b>Change in Revenues</b>								
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**Estimated SUPPLEMENTAL (FY2015) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2016) cost:** 0.0 *(separate capital appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

### ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No  
If yes, by what date are the regulations to be adopted, amended or repealed?

### Why this fiscal note differs from previous version:

Initial version, not applicable.
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Prepared By: Valerie Rose, Budget Analyst  
Division: Administrative Services Division  
Approved By: Craig W. Richards, Attorney General  
Agency: Department of Law

Phone: (907)465-3674  
Date: 03/20/2015 11:02 AM  
Date: 03/20/15

FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2015 LEGISLATIVE SESSION

BILL NO. SB 54

**Analysis**

This legislation requires the Attorney General to prepare and transmit a report to the legislature which identifies the number of untested sexual assault examination kits and a plan for addressing any backlog of untested kits.

There are approximately 150 law enforcement entities across the state. These entities would be required to inventory untested sexual assault examination kits in their possession and report this figure, in writing, to the Attorney General.

The department estimates that the coordination and reporting of this information, as well as the development of a plan to address any backlog, will take approximately 100 hours of attorney time. Due to the current budget constraints, the department anticipates contracting with outside counsel for the time estimated in order to complete the report.



# LEGISLATIVE RESEARCH SERVICES

Alaska State Legislature  
Division of Legal and Research Services  
State Capitol, Juneau, AK 99801

(907) 465-3991 phone  
(907) 465-3908 fax  
research@akleg.gov

## Research Brief

TO: Senator Berta Gardner  
FROM: Tim Spengler, Legislative Analyst  
DATE: February 13, 2015  
RE: Rape Kits in Alaska  
LRS Report 15.171

*You had a number of questions pertaining to rape kits in Alaska, including the number of tested and untested kits, relevant statutes, costs, and success in prosecution. Additionally, you asked about rape kit laws in other states.*

Briefly, following a sexual assault, a victim has the option to go to a hospital to have a forensic examination by a trained professional. During a forensic medical exam, a sexual assault evidence collection kit (rape kit) may be used. The kit affords the opportunity to collect any DNA that may have been left by the suspect. The rape kit contains many tools that may be used by the examiner for evidence collection during the forensic medical exam.<sup>1</sup> Of the rape kits collected, many are untested, which is an ongoing issue throughout the United States. A number of factors have been cited as contributing to the backlog of untested kits, including the cost of test analysis. Also, law enforcement agencies sometimes pursue testing only in cases with the best chance of solving or where the alleged rapist is a stranger to the victim.<sup>2</sup>

### Response from Alaska Forensic Expert

Below we list your questions and the information we found for each. Unless otherwise noted by our bracketed comments, we present the information, verbatim, provided to us by Orin Dym, the Alaska Scientific Crime Detection Laboratory's forensic manager.<sup>3</sup>

- *Are all rape kits in Alaska processed by the Department of Public Safety's Alaska Scientific Crime Detection Laboratory?*<sup>4</sup>

Yes, with the exception that Federal agencies may utilize the FBI laboratory.

- *How many kits have been tested in Alaska in each of the last five years?*

2010	2011	2012	2013	2014
484	333	242	617	443

<sup>1</sup> This introductory information comes largely from the Rape, Abuse and Incest National Network (RAINN) and from the Alaska crime lab. RAINN is the nation's largest anti-sexual violence organization and was named one of "America's 100 Best Charities" by *Worth* magazine (<https://www.rainn.org/>). We also found valuable information from a 2011 report from the U.S. Department of Justice entitled "The Road Ahead: Unanalyzed Evidence in Sexual Assault Cases." This 21-page document can be viewed at <https://ncjrs.gov/pdffiles1/nij/233279.pdf>.

<sup>2</sup> An additional factor in the backlog is that the FBI's forensic data base—the Combined DNA Index System (CODIS)—did not exist until the mid-1990s. Rape kits that date back prior to that may not have been tested if the victim could not identify a suspect. By the time law enforcement started matching forensic evidence from rape kits to the DNA of previously convicted criminals, many police department already had a large backlog.

<sup>3</sup> Mr. Dym can be reached at (907) 269-5743.

<sup>4</sup> Information on the crime lab is accessible at <http://www.dps.state.ak.us/crimelab/>.

- *How many rape kits typically go untested in Alaska each year?*

Not known. Nearly all of the kits submitted to the laboratory are processed. Exceptions occur when the laboratory is contacted by the submitting agency to withdraw the request for analysis, when the kit was collected beyond the time frame in which detectable scientific evidence would remain, or when analysis would not yield interpretable findings owing to the limitations of the scientific methods.

[Mr. Dym relayed to us in a phone conversation that if a law mandating that all rape kits be tested was enacted, it would lead to an indeterminate fiscal note, as it is not tracked or known how many kits go untested. If the lab were to be inundated with untested kits, analysis would either take a significantly longer time to complete, or the lab would have to hire additional personnel. At present, priority rape cases are analyzed in 40 days or less. Tests with low scientific value may take up to 14 months. Mr. Dym relates that the crime lab has monthly meetings with the Department of Law and law enforcement agencies to determine testing priorities.]

- *If you do not have data on the above question, do you have an estimate on what percentage of rape kits are tested in Alaska?*

Not known. The Department does not know how many completed sexual assault evidence collection kits have been utilized by a law enforcement agency, but not yet submitted to the crime lab for testing. Beginning February 1<sup>st</sup> we will be requiring that all kits must ultimately be sent back to the lab. This will give us a better understanding of what is collected, and what is analyzed. [This DPS policy will only apply to kits collected by State Troopers not to city police forces. Mr. Dym informs us that the troopers submit around 40 percent of the total amount of kits that come to the laboratory. Only the Anchorage Police Department submits more.]

- *What is the geographic breakdown of tested vs. untested kits in Alaska (i.e. are kits from Anchorage tested at a higher rate than kits from rural Alaska)?*

This is unknown with regards to kits that are never submitted to the laboratory. Geographic location does not factor in to the laboratory's processing of kits.

- *What are the typical reasons that kits go untested?*

In addition to the reasons given above, kits may go untested for a variety of additional reasons that include—Anonymous reporting, case is un-prosecutable (victim withdraws complaint, suspect dies), Consent (the physical evidence is not in question). In some of these instances, the kit may never be submitted to the lab.

- *What is the cost of processing a rape kit in Alaska? Is the cost absorbed by DPS, or by the law enforcement agency that sends you the kit?*

The State Crime Lab provides service to all State law enforcement agencies at no cost. Since the nature of each case and items of evidence are unique to every sexual assault, there is no stock analysis cost. [In a subsequent phone conversation with Mr. Dym, he estimated that the cost to analyze each kit is in the \$3,000 to \$5,000 range.]

- *Are there statutory, regulatory, or policy timeframes for testing kits?*

None.

- *Are you aware of any examples of rape kits that were not tested, which resulted in more hardship (for example, another rape) for victims?*

Unknown. [There is information readily available on why testing rape kits is important both in solving current, and preventing future, crimes. The entity ENDTHEBACKLOG is a good place to start <http://www.endthebacklog.org/backlog/why-testing-matters>.]

- *Do you know how Alaska's rate of testing kits compares to other states?*

Unknown. [Like Alaska, the vast majority of other states do not track the testing of rape kits. Those that are tracking such information have only done so in recent years and we identified no useful data.]

The Department of Law (DOL) does not keep data on the number of convictions that resulted from evidence generated from rape kits or the breakdown of closed vs. open cases involving kits.<sup>5</sup> According to Kaci Schroeder, DOL's legislative liaison, the agency would have to pull cases by hand in order to arrive at any figures, a task that would take a great deal of time and resources.

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#### Rape Kit Legislation in Other States

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A number of states have passed legislation in the last few years that attempt to address the backlog of untested rape kits. These laws tend to fall into the following categories: those that require audits, inventories, and/or tracking of kits, and those that mandate testing. Unfortunately, we found very little information on how successful or costly these legislative attempts have been, largely because most of the measures have only been implemented in the last year or two.

In the table on the following page, we summarize some of the relevant enacted legislation that we identified.<sup>6</sup> Following that we provide pertinent information from the National Conference of State Legislatures that you may find useful. As we mentioned earlier, it appears that any potential bill in Alaska requiring the testing of all rape kits would likely come with an indeterminate fiscal note, as the number of kits that go untested (and those that are backlogged) in the state is unknown. Presumably, less costly would be a measure to identify and track Alaska's untested kits and assess the backlog.<sup>7</sup>

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<sup>5</sup> Ms. Schroeder can be reached at (907) 465-4037.

<sup>6</sup> You may also want to peruse a document from the National Center for the Victims of Crimes entitled "Laws about the Sexual Assault Kit Backlog," at <https://www.victimsofcrime.org/our-programs/dna-resource-center/untested-sexual-assault-kits/sexual-assault-kit-backlog-laws>. This document lists relevant recently enacted as well as pending legislation.

<sup>7</sup> For information on what type of rape kit legislation might be best suited for Alaska, we suggest you contact Legislative Legal Services.

Table 1: Selected Enacted Legislation Pertaining to Rape Kit Testing		
State	Citation	Summary
California	Audit	Approved an audit to survey untested rape kits in state. Audit will assess how rape kit backlog funding is being used and will analyze laboratory and law enforcement policies.
	Section 680 of the Penal Code	Requires law enforcement to submit sexual assault forensic evidence to a crime lab within five days of collection. The lab must test the rape kit and enter results in the federal CODIS database within 30 days.
Colorado	CRS 24-33.5-113	Requires forensic testing be done, if requested by victim. Kit must be submitted to crime lab within 21 days. Also, law enforcement must submit an inventory of untested kits to state Bureau of Investigation for the preparation of a plan to analyze kits.
Hawaii	House Concurrent Resolution 99-H.D. 1	Among other things, requires Attorney General to provide report on efforts to create an effective kit tracking mechanism and identify funding to help with effort.
Illinois	725 ILCS 202/5	Mandates submission of all sexual assault evidence within ten days to Illinois State Police (ISP). The ISP is then required to have kits analyzed within 10 days. Law enforcement must also provide ISP with an inventory of untested kits.
Louisiana	LSA-RA 15.622	Agencies that store rape kits must submit an inventory of untested kits. State crime lab must then submit a report detailing untested kits in each parish.
Michigan	MCLA 752.962	Creates a state commission to establish regulations, procedures, and timetables with deadlines that law enforcement agencies and health care providers must follow when collecting and using rape kit evidence.
Ohio	ORC 2933.82	Requires law enforcement to forward untested rape kits to crime laboratory for DNA analysis within one year.
Texas	Gov't Code 420.041-043	Requires that law enforcement submit rape kits to lab within 30 days.
Virginia	Virginia Uncodified Acts 642 (2014)	Requires local and state law enforcement to inventory and submit a report regarding untested kits, by county.
<p><b>Notes:</b> These are the majority of enacted rape kit laws. More detail on these and other relevant laws are available at <a href="https://www.victimsofcrime.org/our-programs/dna-resource-center/untested-sexual-assault-kits/sexual-assault-kit-backlog-laws">https://www.victimsofcrime.org/our-programs/dna-resource-center/untested-sexual-assault-kits/sexual-assault-kit-backlog-laws</a>.</p> <p><b>Sources:</b> The National Center for Victims of Crime (see above URL), Westlaw.</p>		

In September 2014, the National Conference of State Legislatures produced a webinar that may prove illuminating to you. The webinar discusses how states are coordinating resources and addressing the issue of untested sexual assault evidence. The webinar can be viewed at <http://www.ncsl.org/research/civil-and-criminal-justice/untested-sexual-assault-evidence-webinar-the-legislative-response.aspx>.<sup>8</sup>

Also of possible interest to you is a Colorado news story from September 25, 2014. It reports how Colorado's new law is working well in some ways (more kits being tested) but not well in others (not addressing previously-untested kits). The story can be viewed at <http://www.thedenverchannel.com/news/call7-investigators/call7-investigation-reveals-thousands-of-rape-kits-still-may-not-be-tested-despite-new-law>.

We hope this is helpful. If you have questions or need additional information, please let us know.

<sup>8</sup> An NCSL blog on the topic can be accessed at <http://www.ncsl.org/blog/2014/09/23/states-respond-to-untested-sexual-assault-evidence.aspx>. Also, a 2013 document from NCSL on untested forensic biology including sexual assault evidence can be viewed at <http://www.ncsl.org/Documents/cj/StateBacklogsOfForensicEvidence.pdf>.

# RAPE KIT ACTION PROJECT

PUTTING DNA TO WORK FOR JUSTICE AND SAFETY

March 4, 2015

## Letter in support of SB 54

The Rape Kit Action Project (RKAP) stands in strong support of SB 54, legislation aimed at identifying and counting untested rape kits in Alaska. This legislation is a vitally important starting point in determining whether Alaska, like most other states, has a “hidden backlog” of rape evidence that was carefully collected by trained medical professionals, but then never sent forward to the forensic lab for analysis. We urge the Alaska Legislature to enact this important public safety measure.

The Rape Kit Action Project is a collaboration between the National Center for Victims of Crime, Natasha’s Justice Project, and the Rape Abuse & Incest National Network (RAINN). Our Advocacy Partners include sexual assault survivors and parents of rape and homicide victims. RKAP’s primary mission is to promote policies for timely submission and analysis of untested sexual assault evidence kits to achieve justice.

Communities across the country are struggling with the discovery of thousands of untested rape kits in law enforcement storage. In some of these jurisdictions where analysis on this long-neglected evidence has begun, numerous rapes and murders have been solved, bringing answers to victims and taking dangerous criminals off the streets.

**Passing SB 54 will add Alaska to the growing list of states that believe—as we do— that our nation can do better at protecting our communities and ensuring justice for victims.** Counting untested sexual assault kits is critical for a community that takes public safety and victims’ rights seriously.

Rape Kit Action Project Steering Committee:

National Center for Victims of Crime

Natasha’s Justice Project

Rape, Abuse & Incest National Network



## MESSAGE FROM RAPE KIT ACTION PROJECT ADVOCACY PARTNERS

The *RKAP Advocacy Partners* are the reason behind the Rape Kit Advocacy Project: survivors of sexual assault and their family members. With this unique perspective, we provide RKAP – and through them, state lawmakers – with input and support. We hope you will consider introducing legislation in 2015, and we are poised to support your efforts. Below is some additional information. Even more can be found on the RKAP website: [everykitcounts.org](http://everykitcounts.org). Please act today and contact RKAP for assistance. Support has never been greater for this critical work.

Carol Bart, TX  
Michelle Bowdler, MA  
Susan Cash, GA

Yvonne Pointer, OH  
Amy Roberts, OH  
Joanie Scheske, MO

Jayann Sepich, NM  
Debbie Smith, VA  
Julie Weil, FL

### AT LEAST 100,000 FACES, ONE BIG PROBLEM.

Based on only a handful of public reports, we know that more than 100,000 sexual assault forensic evidence kits (“rape kits”) sit untested and unaccounted for. Each of these kits represents a victim seeking justice and a potential serial criminal who may be wandering the streets. This is inexcusable and we must do better. Here’s a sampling of what we *do* know has been discovered to date:

**AZ:** 2,000 kits in Phoenix

**OK:** 3,700 kits in Tulsa

**NV:** 4,000 kits Clark County

**CA:** 2,000 kits in Alameda County

**OH:** 4,000 kits in Cleveland

**TX:** 20,000 kits statewide

**IL:** 4,000 kits statewide

**MI:** 11,000 kits in Detroit

### WHAT ARE STATES DOING?

In 2014, **Louisiana, Massachusetts, Tennessee, and Virginia**, with RKAP’s expert advice and support, enacted laws requiring law enforcement to audit evidence rooms for untested kits and report the figures to the legislature. Sample legislation is attached.

States like **California, Colorado, Illinois, Michigan, Texas, and Utah** have gone a step further and passed laws addressing issues of ongoing tracking and reporting of rape kit evidence, and established statewide standards for the timely submission of sexual assault evidence kits.

### THE IMPACT.

States and local jurisdictions that have moved decisively to identify and test all rape kits in their jurisdictions are finding remarkable success:

**CO:** 24 rape suspects identified from testing 150 previously un-submitted rape kits.

**OH:** 1,600 rape suspects identified from testing 4,000 kits.

**MI (Detroit):** 100 rape suspects identified from testing of first 1,600 kits.

**CA (Alameda County):** 27 rape suspects identified from the first 52 rape kits processed.

### FEDERAL GRANT FUNDING AND SUPPORT FOR STATES’ EFFORTS.

- The FY 2015 federal budget includes \$41 million to support community responses to rape kit backlogs. The U.S. Department of Justice has announced grants will be available to support a variety of functions, including audits of backlogs, and rape kit testing.
- The **Debbie Smith DNA Backlog Elimination Act** was renewed by Congress in 2014, and supports crime laboratory analysis of forensic DNA cases, including rape kits.
- The **Sexual Assault Forensic Evidence Reporting (SAFER) grant** (part of the federal Debbie Smith grant program) will provide resources to local law enforcement for the purpose of auditing un-submitted rape kits.
- In the fall of 2014, Manhattan’s District Attorney announced a grant fund of \$35 million to assist jurisdictions **nationwide** with the costs associated with rape kit testing. The solicitation for this grant is expected later in 2015.

For information on these and other funding opportunities and related solutions, please visit our site or contact RKAP at [everykitcounts@gmail.com](mailto:everykitcounts@gmail.com).



# CHOOSE RESPECT

Alaskans Ending the Epidemic  
of Domestic Violence and Sexual Assault

**2015 LEGISLATIVE REPORT**  
February 17, 2015

*The purpose of this report is to fulfill Sec 1 CH 16 SLA 2014 PG 42 Ln 4 (HB266) by delivering a report to the legislature on the results of the domestic violence and sexual assault initiative along with efficiency performance measures.*





550 West 7th Avenue, Suite 1700  
Anchorage, Alaska 99501  
Phone: (907) 269-7450

In 2013, the average rate of reported rape was **3.6 times higher** in Alaska than nationally.

An estimated **63%** of sexual assaults go unreported.

# In 2014, 170+ Alaska communities united, our state will:

# CHOOSE RESPECT

Adak  
Akhiok  
Akiak  
Akutan  
Alakanuk  
Aleknagik  
Allakaket  
Ambler  
Anaktuvuk Pass  
Anchorage  
Anderson  
Angoon  
Aniak  
Arctic Village  
Atka  
Barrow  
Beaver  
Bethel  
Fork Yukon  
Brevig Mission  
Buckland  
Cantwell  
Chalkyitsik  
Chefornak  
Chenegak Bay  
Chevak  
Chignik  
Chignik Lake  
Gakona  
Circle  
Cold Bay  
Copper Center  
Cordova  
Craig  
Deering

Delta Junction  
Dillingham  
Dot Lake  
Eagle  
Eek  
Egegik  
Elim  
Emmonak  
Fairbanks  
False Pass  
Fort Yukon  
Galena  
Gambell  
Girdwood  
Gakona  
Golovin  
Haines  
Healy  
Holy Cross  
Homer  
Hoonah  
Hooper Bay  
Hope  
Hughes  
Huslia  
Hydaburg  
Igiugig  
Juneau  
Kake  
Kaktovik  
Kaltag  
Kanatak  
Ketchikan  
Kenai  
Ketchikan

Kiana  
King Cove  
Kipnuk  
Kivalina  
Craig  
Haines  
Kobuk  
Kodiak  
Kokhanok  
Kongiganak  
Kotzebue  
Koyuk  
Koyukuk  
Kwethluk  
Levelock  
Aniak  
Manley Hot Springs  
Manokotak  
Marshall  
McGrath  
Mekoryuk  
Metlakatla  
Minto  
Mountain Village  
King Salmon  
Napaskiak  
Nelson Lagoon  
Nenana  
New Stuyahok  
Illiamna  
Newtok  
Nightmute  
Nikolai  
Noatak  
Nome

Nondalton  
Noorvik  
North Pole  
Northway  
Nuiqsut  
Nulato  
Nunapitchuk  
Old Harbor  
Ouzinkie  
Palmer  
Pedro Bay  
Pelican  
Petersburg  
Point Hope  
Point Lay  
Port Graham  
Port Lions  
Quinhagak  
Ruby  
Russian Mission  
Saint George Island  
Saint Mary's  
Saint Michael  
Saint Paul  
Sand Point  
Savoonga  
Saxman  
Scammon Bay  
Selawik  
Seldovia  
Seward  
Shageluk  
Shaktoolik  
Shishmaref  
Shungnak

Sitka  
Skagway  
Stebbins  
Stevens Village  
Stony River  
Chickaloon  
Takotna  
Talkeetna  
Tanacross  
Tanana  
Tatitlek  
Teller  
Tetlin  
Thorne Bay  
Togiak  
Tok  
Toksook Bay  
Trapper Creek  
Tuluksak  
Tuntutuliak  
Tununak  
Unalakleet  
Unalaska  
Valdez  
Venetie  
Wales  
Palmer  
White Mountain  
Whittier  
Talkeetna  
Wrangell  
Yakutat



## Research

The Choose Respect Initiative was created in December of 2009 to combat the escalating rates of domestic violence and sexual assault in the State of Alaska. According to Bureau of Justice Statistics, an estimated 63% of sexual assaults go unreported. Collaborating with the University of Alaska, the state embarked on the Alaska Victimization Survey (AVS) (Appendix A) to provide the first definitive measure of intimate partner violence and sexual violence for the State of Alaska. The AVS is based on a survey of women across Alaska rather than law enforcement reports. The survey was designed to provide comprehensive statewide data to guide planning and policy development and to evaluate the impact of prevention and intervention services. The first statewide survey was completed in 2010 with the next updated statewide survey to be completed in October of 2015.

The 2010 Alaska Dashboard (Appendix B) is a broad overview of key measures reflecting domestic violence and sexual assault in Alaska completed by the Council on Domestic Violence and Sexual Assault (CDVSA). Effectiveness and efficiency measures are developed with a numerator and denominator format, per legislative direction. Starting dates for "Alaska Data" vary due to different time scopes of the surveys. For more information, please review the Dashboard in the Appendix B.

## Public Awareness

2014 was a year focused on efforts to raise awareness and increase public conversation to promote respect: for others and for self, to break the silence, and send a message of support and healing to victims and survivors. Today, members of the clergy, taxi cab drivers, and coaches of high school athletics, teachers, and entire communities are joining the conversation to speak out against domestic violence and sexual assault and taking action to prevent them.

In 2014, over 170 communities participated in collective marches and potlucks to kick off Sexual Assault Awareness Month (April). These events are a rallying cry to turn away from violence and choose respect as the acceptable way to interact with each other. Our Choose Respect communities participate in a full year of activities leading up to their events. Webinars, teleconferences, intervention and prevention materials are made available to community hosts to share with local community members.

## Primary Prevention

Recognizing the need for organized advocacy and support in communities outside of regional hubs, we have streamlined funding for emerging programs in rural areas of the state, to increase capacity and stabilize their efforts to provide advocacy, support, and crisis intervention services in local communities. The following examples demonstrate our ongoing statewide primary prevention efforts.



## Sitka Capacity Grant

Sitka Youth Leadership Committee (SYLC) is an afterschool youth leadership group for teens focusing on respect, healthy relationships, and bridge building among youth.

- 80% of SYLC participants attended more than 11 meetings, a 20 percent increase over the previous year.
- 100% of SYLC participants report they have greatly improved their leadership skills as a result of SYLC.
- 100% of SYLC participants report they feel more confident speaking in front of their peers about respect, equality, diversity, and positive change as a result of SYLC.
- 90% of SYLC participants report they feel more comfortable speaking up in a situation they disagree with.
- 90% of SYLC participants report they believe that SYLC has helped students at their school think about respect.

## Girls on the Run

Girls on the Run is a transformational physical activity based youth development program for girls in 3rd-8th grade, emphasizing life skills through dynamic interactive lessons and running games. The goal of the program is to increase confidence through accomplishment while establishing a lifetime appreciation of health and fitness. Since inception, GOTR has reached over 40% of the girls by the time they graduate from the elementary school. Additionally there was more consistent attendance at weekly practices than in previous years with approximately 80% of girls showing up on average. Participant survey below.

Statement	Pre participation*	Post participation**
I am beautiful just the way I am	62%	70%
I can do things as well as most people	37%	63%
I take a positive attitude towards myself	53%	67%
I have a lot to be proud of	71%	81%

\*Pre n=32, \*\*Post n=28

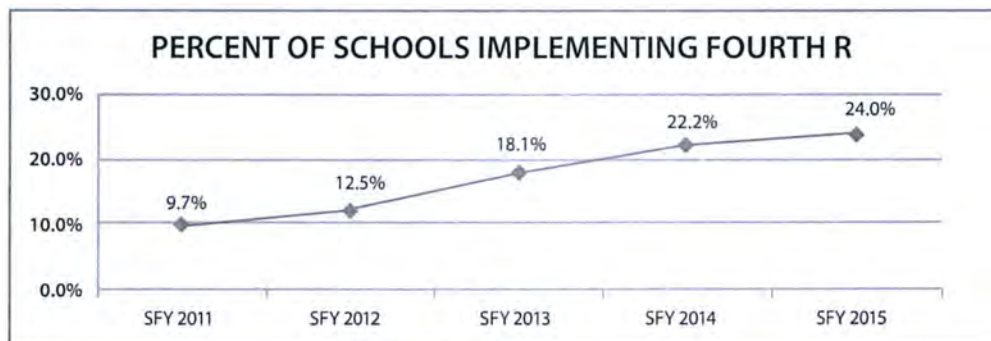
## Fourth R

The Fourth R emphasizes the five basic competencies of social and emotional learning: self-awareness, self-management, social awareness, relationship skills and responsible decision-making. The Fourth R provides lessons that meet the skills for Health Life Content Standards developed by the State of Alaska, Department of Education & Early Development and also aligns with the performance indicators of all eight of the U.S. National Health Education Standards for grades 9-12.



The Fourth R was evaluated in Alaska in 9th grade health classes from 2011-2013. Findings show improved awareness of abusive behavior; increased positive social support among youth with high adverse childhood experiences (ACEs) scores; reduced acceptance of physical aggression; and, reduced adherence to rape myths.

- As of 2014, 60 schools in 21 districts have received Fourth R curricula materials.
- As of 2014, over 300 school staff and community partners throughout Alaska have been trained to teach the Alaska Fourth R program in their schools.



## Green Dot

Green Dot is an approach to violence prevention that equips bystanders with the tools to intervene before violence occurs. During its launch in April of 2014, each pilot community was challenged to match the number of violent incidents reported in their communities in the past fiscal year with green dot actions of intervention, safety, and hope. The goal was to exceed (in one month) the total acts of violence that had occurred in their communities in the past year with positive actions that would serve to reduce those numbers. Collectively there were 12,769 acts of violence reported in these communities in 2014, an unacceptable number. During the month of April over 27,082 individual acts of intervention, safety, and hope were reported to have occurred across pilot sites.

- As of 2014, there are 6 Green Dot pilot communities: Anchorage, Bethel, Fairbanks, Homer, Kenai and Prince of Wales
- As of 2014, total people reached via presentations, booths, and outreach events: 4332
- As of 2014, total number of events, including presentations, and outreach: 67
- As of 2014, total number of people receiving structured presentations: 1089
- As of 2014, total number of structured presentations: 45



## **Alaska Men Choose Respect (AMCR) Mini-grants**

AMCR engages men to become part of the statewide movement of men promoting respect. In 2014, seven Alaska Men Choose Respect Mini-grants were awarded to communities across the state which included: Anchorage, Cordova, Fairbanks, Homer, Juneau, Tanacross and Unalaska. The projects were community specific and incorporated healthy relationships or sexual violence prevention messages into each initiative. The projects used a combination of sports based, culture based, outdoor based and media based activities to engage men and build prevention programming in communities. Complete project descriptions and the AMCR website can be viewed at: <http://www.alaskamenchooserespect.org>.

### **Cook Inlet Tribal Council**

Four traditional men's gatherings to include young men, fathers and elders. The gatherings provided an opportunity to promote healthy relationships through increasing knowledge about the individual and cultural effects of domestic violence. The project served 30 unique individuals, and ten of these individuals attended 2 or more gatherings

### **Cordova Family Resource Center**

Expanded the existing media campaign to include young men from the community as well as two events in the community, "Talking Man to Man," that provided a space for men to come together and talk about issues that they do not regularly have the opportunity to talk about. The total Cordova Men Choose Respect participants were fifty-eight participants. There were two hundred additional men who receive one of the projects marketing items

### **Fairbanks Counseling and Adoption**

Street Outreach and Advocacy Program (SOAP) facilitated a 15 week "Young Males Choose Respect" interactive group for 16 homeless and at-risk youth ages 14-19. In addition to the weekly group meetings and discussions, the participants created a video and a PSA promoting choosing respect, which they acted in; they created a t-shirt logo.

### **South Peninsula Haven House**

Homer's Masculinity Project began to build capacity for adult male mentors to explore individual definitions of healthy masculinity with male youth. 5 Adults mentored the Project. The 25 youth who participated through the art or music production classes ranged in age from 15-18, were primarily male, and came from diverse cultural backgrounds.



### **Aiding Women in Abuse and Rape Emergencies**

High school communities worked cooperatively in Juneau by promoting messages of gender equality through the use of a social norms print and video media campaign. Male athletes, who are already a part of Coaching Boys into Men (CBIM), were invited to be the spokesmen for the campaign. This project directly reached 2 coaches and 49 male student athletes and will reach several thousand high school students in both high schools as well as spectators attending boys' basketball games.

### **Tanacross Village Council**

The village of Tanacross used the funds available through the Alaska Men Choose Respect mini-grant to hold weekly groups for men and boys, cultural nights, survival camp, wellness workshops and education highlighting respect and the importance of cultural in creating a safe and healthy community.

### **Unalaska**

Men in the community created a media based campaign highlighting local men to promote messages of respect. 40 men of varying ages were part of the project.

## **Compass**

Compass is a resource for adult men working with young men ages 12-18 in outdoor subsistence, athletic and cultural programs in Alaska. Compass promotes meaningful conversation to encourage healthy identities, build positive relationships, and strengthen communities. The first pilot training was held in Ketchikan April 25-27 with 8 male mentors attending. Survey results indicate that the trainings were well received and many of the men brought COMPASS back to their community and organizations to assist with recruiting and to begin using COMPASS. Four of those initially trained are fully implementing the program in their local areas. We are working on ongoing evaluation and technical assistance processes in fiscal year 2015.

- In fiscal year 2014, 17 male mentors, representing 7 Alaskan communities: Anchorage, Ketchikan, Bethel, Napaskiak, Dutch Harbor, Dillingham and Sitka were trained in the COMPASS program.

## **Talk Now, Talk Often**

The Talk Now Talk Often (TNTO) parent engagement project provides parents of teenagers with resources, an interactive website, and conversation cards that are intended to assist parents and teens talk together

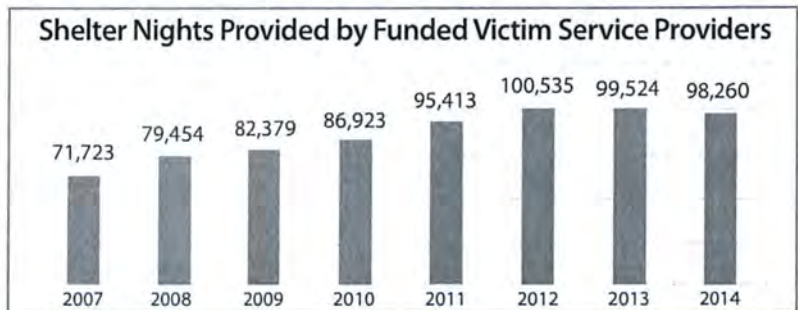


about health dating relationships. The project was developed with the input from Alaskan parents who participated in focus group discussions across the state.

- In fiscal year 2014, 1,500 sets of conversation cards were requested
- In fiscal year 2015 an addition 80 sets of cards have been distributed to the communities of Anchorage, Bethel, Deering, Dillingham, Fairbanks, Homer, Iliamna, Juneau, Ketchikan, Kodiak, Naukati, Nome, St. Michael, Togiak, Wasilla, and Unalaska. 200 sets were sent to Thunder Mountain High School in Juneau.
  - *"It's great to be able to be a sounding board for your teens if they are concerned about where their dating relationship is going, if they are not sure what a good relationship is, or if boundaries are getting pushed" -parent comment.*
  - *"The questions are easy to ask, not personal or threatening, and they provide an opportunity to lead to some great conversations." -parent comment.*

## Support for Victims

Recognizing the detrimental effects on children exposed to domestic violence, we are building capacity to provide support to children who flee with the mothers to escape violence. Shelters will be integrating evidence-based programming for children, helping them understand they are not responsible for the violence, and offering safety planning and skills building so they are better prepared to respond to any future acts of violence.



## Empowering Choice Voucher Program

Recognizing lack of safe and affordable housing as a significant barrier to securing lasting safety for victims, we now have the Empowering Choice Voucher Program (ECHP) —subsidizing housing for a period of three years to assist victims in establishing permanent housing for themselves and their children. ECHP is a referral-based, transitional rental assistance program designed to meet the housing needs of families displaced due to domestic violence and sexual assault.

- As of December 31, 2014, 179 families were receiving rental assistance with an ECHP voucher.



- As of December 31, 2014, 18 additional families were “shopping” or looking for a unit to rent with their ECHP voucher
- From January 1 through December 31, 2014, AHFC issued 144 ECHP vouchers to families.
  - An issuance could include a family that decides to move from their current assisted unit to a new unit.
  - In this same period, 121 families that were referred actually leased in a unit.

## Pro Bono Program

The purpose of the Pro Bono Program is to increase private attorney representation for victims of domestic violence and sexual assault in civil cases at no cost to the victim. In FY14, the Pro Bono Program provided services to only 52% of survivors who completed an application. While there is much work to be done, and many victims remain in need of legal assistance. The funding provided by the Governor’s Office has allowed the Alaska Network on Domestic Violence and Sexual Assault (ANDVSA) to make significant strides in combatting domestic violence and sexual assault in Alaska.

- ANDVSA provided representation in 280 cases during FY14.
- 107 cases were handled by volunteer attorneys alone in FY 2014, providing thousands of hours of volunteer assistance and equaling approximately \$1.2 million in donated legal assistance. Seven volunteers donated over 100 hours to their case.

## Looking Ahead

Appendix C reflects FY15 Domestic Violence and Sexual Assault (DVSA) Funding. During a budget short fall, its especially crucial that everyone to do their part to help prevent domestic violence, sexual assault and child abuse in Alaska. We will continue to champion the efforts made to reduce violence and build a culture of healthy communities and strong families in Alaska.

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## **Appendices**

- Appendix A – 2010 Alaska Victimization Survey
- Appendix B – Dashboard
- Appendix C - Initiative Funding

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# Appendix A

## 2010 Alaska Victimization Survey



**Intimate Partner Violence and Sexual Violence  
in the State of Alaska:  
Key Results from the  
2010 Alaska Victimization Survey**



**Out of every 100 adult women who reside in the State of Alaska:**

48 experienced intimate partner violence (IPV):



37 experienced sexual violence:



59 experienced intimate partner violence, sexual violence, or both:



These lifetime estimates come from a 2010 survey of adult women in the State of Alaska.  
Source: UAA Justice Center, Alaska Victimization Survey, <http://justice.uaa.alaska.edu/avs>.

### **Purpose of the Survey**

Every human being has the right to be safe and free from violence in their own homes, in their relationships, and in their community. Intimate partner violence and sexual violence are endemic problems. Up until now, comprehensive statewide data were not available to guide planning and policy development or to evaluate the impact of prevention and intervention services. This study provides the first definitive measures of intimate partner violence and sexual violence for the State of Alaska. The survey was designed to establish a baseline for the State. Results can be used to support prevention and intervention efforts that reduce violence against women.

### **Methodology**

A total of 871 adult women in Alaska participated in the survey. Respondents were randomly selected by phone (using both land lines and cell phones) in May and June of 2010. Respondents were asked behaviorally specific questions about intimate partner violence (both threats and physical violence). Intimate partners included romantic and sexual partners. Respondents were also asked about sexual violence (both alcohol or drug involved sexual assault and forcible sexual assault). These questions were not limited to intimate partners. Procedures were designed to maximize the safety and confidentiality of all respondents. The survey was approved by multiple institutional review boards and was supported by the Alaska Council on Domestic Violence and Sexual Assault.

### **Acknowledgments**

We sincerely thank the 871 adult women in Alaska who invested time and effort to participate in this victimization survey. They re-lived horrendous experiences, experiences that no one should be subjected to, to help the rest of us understand the extent of intimate partner and sexual violence in Alaska. Funding for this project was provided by the Alaska Council on Domestic Violence and Sexual Assault. The survey was administered by RTI International. Data were analyzed by the UAA Justice Center.

## Intimate Partner Violence and Sexual Violence in the State of Alaska: Key Results from the 2010 Alaska Victimization Survey

### Key Estimates

The following table shows the percentage and number of adult women in the State of Alaska who experienced each form of violence. All estimates were weighted to control for selection, non-response, and coverage. Estimates show that 58.6% of adult women in Alaska (or 144,881) experienced sexual violence, intimate partner violence, or both, in their lifetime; and 11.8% (or 29,174) experienced these forms of violence in the past year.

Measures of Violence	Lifetime		Past Year	
	%	N	%	N
<b>Intimate partner violence (composite)</b>	47.6%	117,685	9.4%	23,240
Threats of physical violence	31.0%	76,644	5.8%	14,340
Physical violence	44.8%	110,763	8.6%	21,262
<b>Sexual violence (composite)</b>	37.1%	91,725	4.3%	10,631
Alcohol or drug involved sexual assault	26.8%	66,260	3.6%	8,901
Forcible sexual assault	25.6%	63,293	2.5%	6,181
<b>Any Violence (composite)</b>	<b>58.6%</b>	<b>144,881</b>	<b>11.8%</b>	<b>29,174</b>

### **Intimate Partner Violence Estimates:**

The intimate partner violence composite includes both threats of physical violence and physical violence.

- 47.6% of adult women (or 117,685) experienced intimate partner violence in their lifetime, with:
  - 31.0% (or 76,644) experiencing threats of physical violence, and
  - 44.8% (or 110,763) experiencing physical violence.
- 9.4% of adult women (or 23,240) experienced intimate partner violence in the past year, with:
  - 5.8% (or 14,340) experiencing threats of physical violence, and
  - 8.6% (or 21,262) experiencing physical violence.

### **Sexual Violence Estimates:**

The sexual violence composite includes both alcohol or drug involved sexual assault and forcible sexual assault.

- 37.1% of adult women (or 91,725) experienced sexual violence in their lifetime, with:
  - 26.8% (or 66,260) experiencing at least one alcohol or drug involved sexual assault, and
  - 25.6% (or 63,293) experiencing at least one forcible sexual assault.
- 4.3% of adult women (or 10,631) experienced sexual violence in the past year, with:
  - 3.6% (or 8,901) experiencing at least one alcohol or drug involved sexual assault, and
  - 2.5% (or 6,181) experiencing at least one forcible sexual assault.

### **Important Limitations**

The survey excluded non-English speaking women, women without phone access, and women not living in a residence. Estimates may be higher among women excluded from the survey. Estimates may also be conservative because of the continuing stigma of reporting victimization. This survey measured the number of *victims*, not the number of *victimizations*. In addition, not all forms of intimate partner violence or sexual violence were measured.

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# Appendix B

## 2014 Alaska Dashboard



# 2015 Alaska Dashboard

## *Key Issues Impacting*

### *Domestic Violence and Sexual Assault in Alaska*

## What is the 2015 Dashboard?

The 2015 Alaska Dashboard is a broad overview of population indicators on key issues related to domestic violence and sexual assault in Alaska. The Dashboard looks at reported incidents, service utilization, protective factors, offender accountability and survey results.

This is the Dashboard's fourth year of publication. The Council uses Dashboard indicators to monitor trends, strengthen policy and practices to enhance intervention efforts, implement prevention strategies and when necessary, make changes/revise program development to adopt practices better suited to ending domestic violence and sexual assault in Alaska.

We encourage you to go beyond the numbers by reading through the indicator definitions to better understand what is being reviewed. The progress column is not meant to be a comment on the rate of domestic violence and sexual assault in Alaska, rather it is meant to comment on whether or not progress at turning the curve is being made at a satisfactory pace.

We all need to think about how we can change these numbers, whether we are policy makers or concerned citizens. We encourage you to discuss what you see with your family, neighbors, friends, co-workers. How can you make a difference?

Each of the numbers in the Dashboard represents a life affected by these crimes. The level of domestic violence, sexual assault and sexual abuse of minors in our state remains unacceptably high—any amount of domestic violence or sexual assault is too much.

## Join Us!

We hope you will join us in our efforts to increase victim safety and hold offenders accountable for their actions. Call your local victim service provider to learn about your community's efforts to end domestic violence and to find ways to get involved.

For more information contact:

Council on Domestic Violence and Sexual Assault, (907) 465-4356 ph  
[bahiyih.parish@alaska.gov](mailto:bahiyih.parish@alaska.gov) or [lauree.morton@alaska.gov](mailto:lauree.morton@alaska.gov)



# 2015 Alaska Dashboard

## Key Issues Impacting

### Domestic Violence and Sexual Assault in Alaska

Reports of harm, utilization of services, and reports to law enforcement are much lower than actual incident rates. As the stigma of reporting violence lessens and as victim safety increases, those experiencing violence will be more likely to report and seek help, causing some of these indicators to increase over time. Estimates based on self-disclosures to survey questions may also be lower than actual victimization rates.

Key Population Indicators for Alaska	Starting AK Data	Current AK Data	Percent Change	Progress
<b>Childhood Exposure to Domestic Violence</b>				
1. Percent of adults exposed to intimate partner violence of parent (BRFSS)	19.1%	22.1%	15.7%	●
2. Percent of mothers whose 3 year old child saw violence or physical abuse (CUBS)	4.0%	3.4%	-15.0%	●
<b>Child and Youth Victimization</b>				
3. Percent of students experiencing physical dating violence in past year (YRBS)	9.1%	9.1%	N/A	○
4. Percent of students experiencing sexual violence in lifetime (YRBS)	10.1%	9.3%	-7.9%	●
<b>Reports of Harm (Child and Youth)</b>				
5. Rate of reported child abuse and neglect per 10,000 (US DHHS)	193.1	130.1	-32.6%	●
6. Rate of reported child sexual maltreatment per 10,000 (US DHHS)	5.6	6.5	16.1%	●
<b>Adult and Elder Victimization</b>				
7. Percent of women experiencing physical intimate partner violence in past year (AVS)	9.4%	N/A	N/A	○
8. Percent of women experiencing sexual violence in past year (AVS)	4.3%	N/A	N/A	○
9. Percent of pregnant women experiencing intimate partner physical abuse (PRAMS)	3.6%	1.6%	-55.6%	●
<b>Reports of Harm (Adult and Elder)</b>				
10. Number of vulnerable adults reporting abuse or neglect (APS)	91	63	-30.8%	○
11. Number of vulnerable elders reporting abuse or neglect (APS)	111	77	-30.6%	○
<b>Primary Prevention and Protective Factors</b>				
12. Percent of pregnant women whose health provider talked to them about DV (PRAMS)	60.0%	60.1%	0.2%	○
13. Percent of students comfortable seeking help from 3 or more adults (YRBS)	44.6%	42.8%	-4.0%	○
14. Percent of schools implementing Fourth R healthy relationship curriculum (DEED)	9.7%	24.0%	147.4%	●
15. Percent of students who feel connected to their school (SCCS)	38%	39%	2.6%	●
<b>Reports to Law Enforcement</b>				
16. Rate of rape reported to law enforcement per 10,000 (UCR)	N/A	12.5	N/A	○
17. Number of domestic violence related homicides reported to law enforcement (DPS)	5	11	120.0%	●
18. Number of elderly victims reporting DV-related sexual/physical assaults to AST (DPS)	79	122	54.4%	●
19. Number of sexual assaults reported to law enforcement (DPS)	804	813	1.1%	○
20. Number of sexual abuse of minors reported to law enforcement (DPS)	428	513	19.9%	●
<b>Utilization of Services</b>				
21. Rate of children evaluated by child advocacy centers per 10,000 (ACA)	81.9	90.8	10.9%	●
22. Rate of adults utilizing services for domestic violence per 10,000 (CDVSA)	81.6	77.5	-5.0%	●
23. Rate of children with adults in domestic violence services per 10,000 (CDVSA)	72.8	62.0	-14.8%	●
24. Rate of adults utilizing services for sexual assault per 10,000 (CDVSA)	20.5	20.7	1.0%	○
25. Rate of youth utilizing services for domestic violence per 10,000 (CDVSA)	20.1	24.7	22.9%	●
26. Rate of youth utilizing services for sexual assault per 10,000 (CDVSA)	39.2	28.9	-26.3%	●
<b>Offender Accountability</b>				
27. Percent of reported rapes resulting in an arrest (DPS)	N/A	40.8%	N/A	○
28. Rate of juveniles referred for sex offenses per 10,000 (DJJ)	10.9	11.8	8.3%	○
29. Rate of juveniles referred for a DV-related assault per 10,000 (DJJ)	38.5	36.1	-6.2%	○
30. Number of sexual assault cases accepted for prosecution (DOL)	111	135	21.6%	●
31. Percent of accepted sexual assault cases with a conviction (DOL)	63.0%	51.8%	-17.8%	○
32. Number of sexual abuse of minor cases accepted for prosecution (DOL)	109	118	8.3%	●
33. Percent of accepted sexual abuse of minor cases with a conviction (DOL)	84.4%	60.1%	-28.8%	○
34. Number of domestic violence cases accepted for prosecution (DOL)	2617	3270	25.0%	●
35. Percent of accepted domestic violence cases with a conviction (DOL)	73.8%	75.9%	2.8%	○
36. Percent of adult sex offenders who recidivate (DOC)	67.0	60.7%	-9.4%	●

**Progress:** ● Progress Satisfactory ○ Progress Uncertain ● Progress Needs Improvement

Percent change is relative to starting data. See definition on page 3. Percent changes may or may not be statistically significant.

Definitions for each population indicator and dates for current and starting data are found starting on page 4.

Alaska Dashboard, January 2015. State of Alaska, Council on Domestic Violence and Sexual Assault, <http://dps.alaska.gov/cdvsa/>.

# 2015 Alaska Dashboard

## Key Issues Impacting Domestic Violence and Sexual Assault in Alaska

### National Comparisons

National data for comparison purposes is only available for a few of the population indicators on the Alaska dashboard for key issues impacting domestic violence and sexual assault in Alaska. Few of the data sources on the Alaska dashboard are available nationally or in other states. When they are available, data is rarely directly comparable. In particular, different states have different definitions for domestic violence and sexual assault. Listed below are the few indicators that are directly comparable to national data.

Key Population Indicators for Alaska	Starting U.S. Data	Current U.S. Data	Starting AK Data	Current AK Data
<b>Child and Youth Victimization</b>				
3. Percent of students experiencing physical dating violence in past year (YRBS)	N/A	10.3%	N/A	9.1%
4. Percent of students experiencing sexual violence in lifetime (YRBS)	7.4%	7.3%	10.1%	9.3%
<b>Reports of Harm (Child and Youth)</b>				
5. Rate of reported child abuse and neglect per 10,000 (US DHHS)	93	91.3	193.1	130.1
6. Rate of reported child sexual maltreatment per 10,000 (US DHHS)	8.7	8.2	5.6	6.5
<b>Reports to Law Enforcement</b>				
16. Rate of rape reported to law enforcement per 10,000 (UCR)	N/A	3.4	N/A	12.5

#### Percent of students experiencing physical dating violence in the past year (YRBS)

In 2013 (current AK data), 9.1% of Alaskan high school students experienced physical dating violence, compared to 10.3% of US high school students.

#### Percent of students experiencing sexual violence in lifetime (YRBS)

In 2013 (current AK data), the percentage of Alaska high school students experiencing sexual violence in their lifetime was 9.3%, compared to 8.0% of high school students in the U.S. The percentage of high school students experiencing sexual violence in their lifetime was 1.2 times higher in Alaska than in the U.S.

#### Rate of reported child abuse and neglect per 10,000 (US DHHS)

In 2013 (current AK data), the rate of reported and substantiated child abuse and neglect was 130.1 per 10,000 children (ages 0 to 17) in Alaska, compared to 91.3 per 10,000 children in the U.S. The Alaska rate was 1.4 times higher than the U.S. rate. Rates of reporting in the U.S. have remained steady since the starting year, 2009, but Alaska levels have decreased by 32%.

#### Rate of reported child sexual maltreatment per 10,000 (US DHHS)

In 2013 (current AK data), the rate of reported and substantiated child sexual maltreatment was 5.6 per 10,000 children (ages 0 to 17) in Alaska, compared to 8.2 per 10,000 children in the U.S. The US rate was 1.3 times higher than the Alaska rate.

#### Rate of rape reported to law enforcement per 10,000 (UCR)

In 2013 (current AK data), the rate of rape reported to law enforcement was 12.5 per 10,000 in Alaska, compared to 3.4 per 10,000 in the U.S. The Alaska rate was 3.7 times higher than the U.S. rate.

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### Percent Change

Percent change is the increase or decrease in the current Alaska data relative to the start date, most of which is pre-Initiative data. Percent change is not an absolute difference in percent. For example, indicator #1 has increased from 19.1% to 22.1%. The absolute difference in percent is 3.0. But the percent change is +15.7%, because 3.0 is 15.7% of 19.1, the starting Alaska data.

\*\* Percent changes may or may not be statistically significant since some change randomly occurs from year to year.

$$\text{Percent Change is } \frac{\text{Current AK data} - \text{Starting AK data}}{\text{Starting AK data}} \times 100$$


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# 2015 Alaska Dashboard

## Key Issues Impacting Domestic Violence and Sexual Assault in Alaska

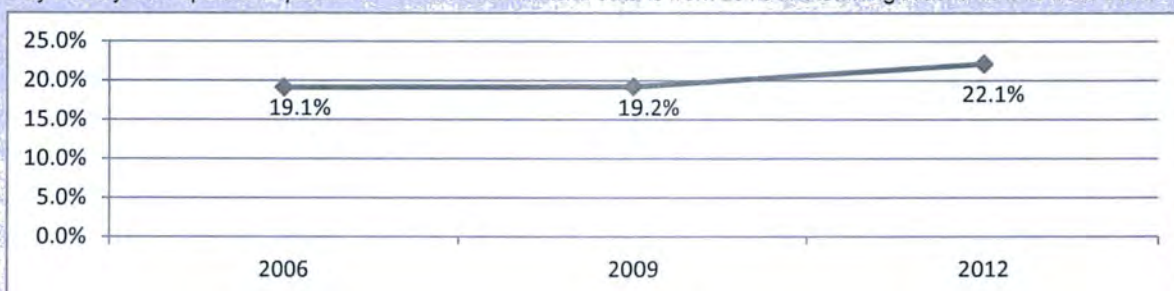
### Dashboard Indicator Definitions

Childhood Exposure to Domestic Violence				
	Starting AK Data	Current AK Data	Percent Change	Progress
1. Percent of adults exposed to intimate partner violence of parent	19.1%	22.1%	15.7%	●
2. Percent of mothers whose 3 year old child saw violence or physical abuse	4.0%	3.4%	-15.0%	●

#### Definitions

##### 1. Percent of adults exposed to intimate partner violence of parent

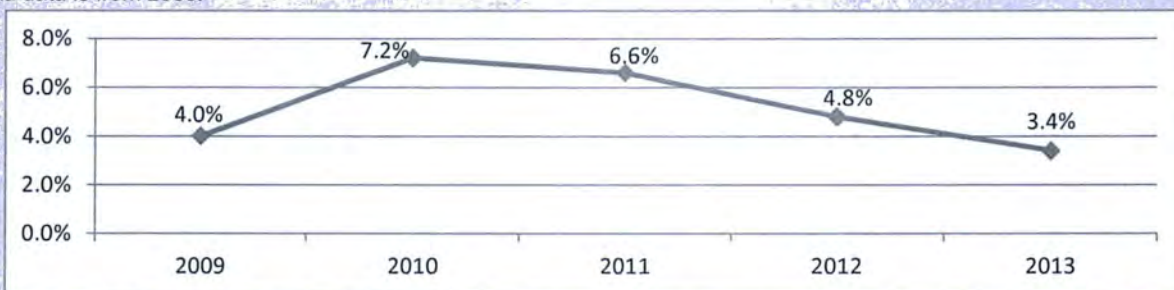
*Behavioral Risk Factor Surveillance System (BRFSS).* Approximately every third year, 2,500 adults in Alaska are asked "As a child, did you ever see or hear one of your parents or guardians being hit, slapped, punched, shoved, kicked or otherwise physically hurt by their spouse or partner?" Most current Alaska data is from 2012 and starting Alaska data is from 2006.



Progress needs improvement ● because the indicator has increased. Satisfactory progress would cause this indicator to decrease.

##### 2. Percent of mothers whose 3 year old child saw violence or physical abuse

*Childhood Understanding Behaviors Survey (CUBS).* Each year, around 1,000 mothers of three year old children are asked "Has your child ever experienced seeing violence or physical abuse in person?" Most current Alaska data is from 2013 and starting Alaska data is from 2009.



Progress is satisfactory ● because 2013 rates are lower than 2009 rates, and they have been decreasing for several years.

#### Child and Youth Victimization

	Starting AK Data	Current AK Data	Percent Change	Progress
3. Percent of students experiencing physical dating violence in past year	9.1%	9.1%	N/A	○
4. Percent of students experiencing sexual violence in lifetime	10.1%	9.3%	-7.9%	●

#### Definitions

##### 3. Percent of students experiencing physical dating violence in past year

*Youth Risk Behavior Survey (YRBS).* Every two years, over 1,000 students in traditional high schools are asked "During the past 12 months, how many times did someone you were dating or going out with physically hurt you on purpose? (Count such things as being hit, slammed into something, or injured with an object or weapon.)" Students are included if they were hurt 1 or more times. Most current data is from 2013, and it is the new baseline since the survey question has been improved and old data is not comparable.

Progress is uncertain ○ because data currently exists for only one point in time. Upcoming data will be from the 2015 survey.

**4. Percent of students experiencing sexual violence in lifetime**

*Youth Risk Behavior Survey (YRBS)*. Every two years, over 1,000 students in traditional high schools are asked "Have you ever been physically forced to have sexual intercourse when you did not want to?" Most current Alaska data is from 2013 and starting Alaska data is from 2009. New statewide data is expected after 2015.



Progress is satisfactory ● because current data has decreased by 7.9%.

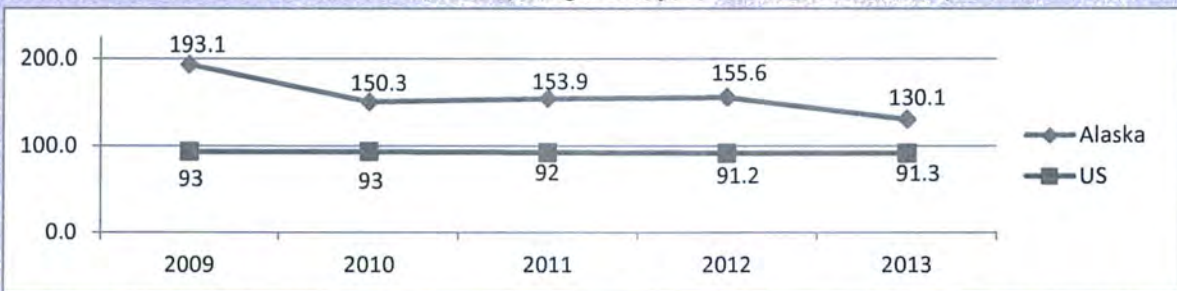
**Reports of Harm (Child and Youth)**

	Starting AK Data	Current AK Data	Percent Change	Progress
<b>5. Rate of reported child abuse and neglect per 10,000</b>	193.1	130.1	-32.6%	●
<b>6. Rate of reported child sexual maltreatment per 10,000</b>	5.6	6.5	16.1%	●

**Definitions**

**5. Rate of reported child abuse and neglect per 10,000**

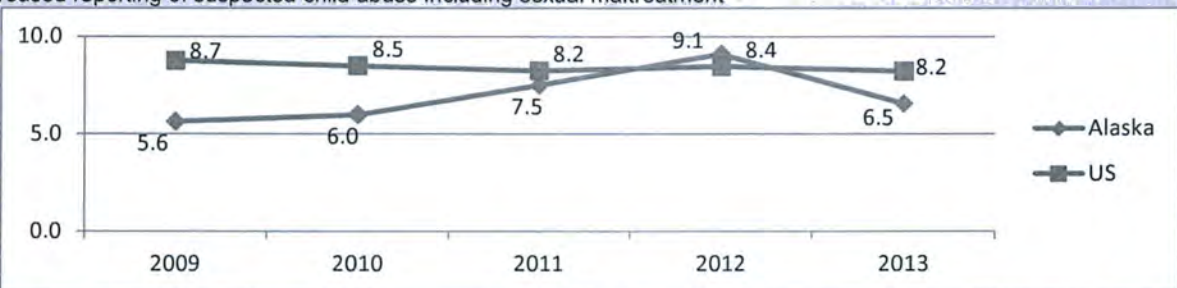
*US Department of Health and Human Services (US DHHS)*. Rate of unique victims with substantiated findings of child abuse and neglect per 10,000 children ages 0-17. Child abuse and neglect is defined as any recent act or failure to act on the part of a parent or caretaker which results in death, serious physical or emotional harm, sexual abuse or exploitation; or an act or failure to act which presents and imminent risk of serious harm. Most current Alaska data is from 2013 and starting Alaska data is from 2009. Past data has changed slightly this year because of an improved method for calculating rate. For the purpose of the dashboard, this indicator is not used to measure rates of victimization. It is used to measure rates of substantiated reports of harm. DVSA Initiative efforts should lead to increased reporting so every child in need of aid can be protected.



Progress is satisfactory ● because there has been a decrease in substantiated findings of child abuse or neglect since 2009.

**6. Rate of reported child sexual maltreatment per 10,000**

*US Department of Health and Human Services (US DHHS)*. Rate of unique victims of reported and substantiated child sexual maltreatment per 10,000 children ages 0-17. Sexual maltreatment includes sexual abuse (sexual assault, sexual abuse of a minor, incest, online enticement of a minor, unlawful exploitation of a minor, indecent exposure), sexual exploitation (allowing, permitting, or encouraging child prostitution), and prostitution or promoting prostitution. Most current Alaska data is from 2013 and starting Alaska data is from 2009. Past data has changed slightly this year because of an improved method for calculating rate. Also, in 2012, a backlog of completed investigation data was entered. This resulted in an over-reporting of investigations for 2012, and an under-reporting from prior years. For the purpose of the dashboard, this indicator is not used to measure rates of victimization. It is used to measure rates of substantiated reports of child sexual maltreatment. DVSA initiative efforts should lead to increased reporting of suspected child abuse including sexual maltreatment



Progress needs improvement ● because substantiated findings of child sexual maltreatment have increased by 16.1%.

Adult and Elder Victimization

	Starting AK Data	Current AK Data	Percent Change	Progress
7. Percent of women experiencing physical intimate partner violence in past	9.4%	N/A	N/A	○
8. Percent of women experiencing sexual violence in past year	4.3%	N/A	N/A	○
9. Percent of pregnant women experiencing intimate partner physical abuse	3.6%	1.6%	-55.6%	●

Definitions

**7. Percent of women experiencing physical intimate partner violence in past year**

*Alaska Victimization Survey (AVS).* In 2010, over 800 adult women were asked if in the past year, an intimate partner (a) "Made threats to physically harm you?" (b) "Slapped you?" (c) "Pushed or shoved you?" (d) "Hit you with a fist or something hard?" (e) "Kicked you?" (f) "Hurt you by pulling your hair?" (g) "Slammed you against something?" (h) "Tried to hurt you by choking or suffocating you?" (i) "Beaten you?" (j) "Burned you on purpose?" or (k) "Used a knife or gun on you?" Starting Alaska data is from 2010.

Progress is uncertain ○ because data currently exists for only one point in time. New data will be available after the survey is replicated in 2015.

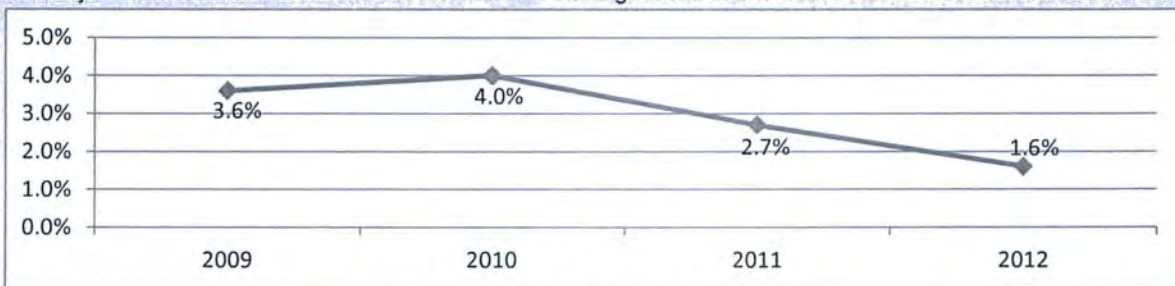
**8. Percent of women experiencing sexual violence in past year**

*Alaska Victimization Survey (AVS).* In 2010, over 800 adult women were asked "When you were drunk, high, drugged, or passed out and unable to consent" in the past year, has anyone (a) "Had vaginal sex with you?" (b) "Made you receive anal sex?" (c) "Made you perform oral sex?" or (d) "Made you receive oral sex?" and has anyone in the past year "used physical force or threats to physically harm you to" (a) "Make you have vaginal sex" (b) "Make you receive anal sex?" (c) "Make you perform oral sex?" (d) "Make you receive oral sex?" (e) "Put their fingers or an object in your vagina or anus?" or (f) "Try to have vaginal, oral, or anal sex with you, but sex did not happen?" Starting Alaska data is from 2010.

Progress is uncertain ○ because data currently exists for only one point in time. New data will be available after the survey is replicated in 2015.

**9. Percent of pregnant women experiencing intimate partner physical abuse**

*Pregnancy Risk Assessment Monitoring System (PRAMS).* Each year, one of every six women who delivered a live-born infant is asked "During your most recent pregnancy, did your husband or partner push, hit, slap, kick, choke, or physically hurt you in any other way?" Most current Alaska data is from 2012 and starting Alaska data is from 2009.



Progress is satisfactory ● because this indicator has decreased by 55.6%.

**Reports of Harm (Adult and Elder)**

	Starting AK Data	Current AK Data	Percent Change	Progress
<b>10. Number of vulnerable adults reporting abuse or neglect</b>	91	63	-30.8%	○
<b>11. Number of vulnerable elders reporting abuse or neglect</b>	111	77	-30.6%	○

**Definitions**

**10. Number of vulnerable adults reporting abuse or neglect**

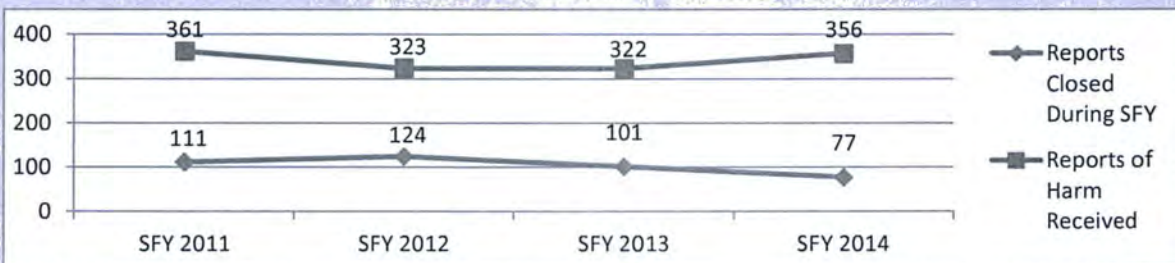
*Adult Protective Services (APS).* Number of vulnerable adults with an allegation of abuse or neglect reported to Adult Protective Services that was closed during the fiscal year. Vulnerable adults are people ages 18 to 64 who, because of physical or mental impairment, are unable to meet their own needs or to seek help without assistance. Abuse includes the willful, intentional, or reckless nonaccidental, and nontherapeutic infliction of physical pain, injury, or mental distress; or sexual assault in the first or second degree. Neglect includes the intentional failure by a caregiver to provide essential care or services necessary to maintain the physical and mental health of the vulnerable adult (self-neglect is not included). Most current Alaska data is from state fiscal year 2014 and starting Alaska data is from state fiscal year 2011. For reference, the total number of vulnerable adults with a report of harm regarding abuse or neglect reported to Adult Protective Services during the fiscal year has also been included. Reports closed and reports received are **not comparable**, since closed reports may have originated in any past year, and reports of harm are only from the noted fiscal year. Initiative efforts should lead to increased reporting so each vulnerable adult in need of aid can be protected.



Progress is uncertain ○ because, while we are looking for an increase in reporting that means more vulnerable elders are being protected, the year-to-year fluctuation is large and if the numbers remain low next year, it may indicate an actual decrease in victimization rates.

**11. Number of vulnerable elders reporting abuse or neglect**

*Adult Protective Services (APS).* Number of vulnerable elders with an allegation of abuse or neglect reported to Adult Protective Services that was closed during the fiscal year. Vulnerable elders are people 65 years of age or older who, because of physical or mental impairment, are unable to meet their own needs or to seek help without assistance. Abuse includes the willful, intentional, or reckless nonaccidental, and nontherapeutic infliction of physical pain, injury, or mental distress; or sexual assault in the first or second degree. Neglect includes the intentional failure by a caregiver to provide essential care or services necessary to maintain the physical and mental health of the vulnerable adult (self-neglect is not included). Most current Alaska data is from 2014 and starting Alaska data is from 2011. For reference, the total number of vulnerable elders with a report of harm regarding abuse or neglect reported to Adult Protective Services during the fiscal year has also been included. Reports closed and reports received are **not comparable**, since closed reports may have originated in any past year, and reports of harm are only from the noted fiscal year. Initiative efforts should lead to increased reporting so each vulnerable elder in need of aid can be protected.



Progress is uncertain ○ because, while we are looking for an increase in reporting that means more vulnerable elders are being protected, the year-to-year fluctuation is large and if the numbers remain low next year, it may indicate an actual decrease in victimization rates.

**Primary Prevention and Protective Factors**

*Primary prevention includes approaches before violence has occurred to prevent initial perpetration or victimization*

	Starting AK Data	Current AK Data	Percent Change	Progress
12. Percent of pregnant women whose health provider talked to them about DV	60.0%	60.1%	0.2%	○
13. Percent of students comfortable seeking help from 3 or more adults	44.6%	42.8%	-4.0%	○
14. Percent of schools implementing Fourth R healthy relationship curriculum	9.7%	24.0%	147.4%	●
15. Percent of students who feel connected to their school	38%	39%	2.6%	●

**Definitions**

**12. Percent of pregnant women whose health provider talked to them about DV**

*Pregnancy Risk Assessment Monitoring System (PRAMS)*. Each year, one of every six women who delivered a live-born infant is asked "During any of your prenatal care visits, did a doctor, nurse, or other health care worker talk with you about physical abuse to women by their husbands or partners?" Most current Alaska data is from 2012 and starting Alaska data is from 2009.



Progress is uncertain ○ because the indicator has not changed significantly. Satisfactory progress would cause this indicator to increase.

**13. Percent of students comfortable seeking help from 3 or more adults**

*Youth Risk Behavior Survey (YRBS)*. Every two years, over 1,000 students in traditional high schools are asked "Besides your parents, how many adults would you feel comfortable seeking help from if you had an important question affecting your life?" Most current Alaska data is from 2013 and starting Alaska data is from 2009.



Progress is uncertain ○ because the indicator has not changed substantially. Satisfactory progress would cause this indicator to increase.

**14. Percent of schools implementing Fourth R healthy relationship curriculum**

*Department of Education & Early Development (DEED)*. Percentage of public secondary schools that have teachers trained in the Fourth R healthy relationship curriculum. Secondary schools include public high schools, middle schools, and alternative schools. Most current Alaska data is from state fiscal year 2015 and starting Alaska data is from state fiscal year 2011.



Progress is satisfactory ● because this indicator is increasing steadily.

**15. Percent of students connected to their school**

*School Climate and Connected Survey (SCCS).* Each year, an average of 28,000 5th – 12th grade students statewide participate in the SCCS. The "connection to school" indicator is comprised of affirmative responses to the following nine questions: a) There is at least one adult at this school who I feel comfortable talking to about things that are bothering me; b) At school, there is a teacher or some other adult who will miss me when I'm absent; c) I ask for help from my teachers or others when I need it; d) It is important to me to help others at my school; e) I try hard to do well in school; f) I get along well with other students; g) My teachers treat me with respect; h) Students here treat me with respect; i) I have given up on school (reverse coded). Data from before 2013 has changed slightly from when it was first released, because this indicator has been recalculated using one less survey question. The most current data is from 2014, and starting data is from 2009.



Progress is satisfactory ● because school connectedness is greater than it was in 2009.

**Reports to Law Enforcement**

	Starting AK Data	Current AK Data	Percent Change	Progress
<b>16. Rate of rape reported to law enforcement per 10,000</b>	N/A	12.5	N/A	○
<b>17. Number of domestic violence related homicides reported to law enforcement</b>	5	11	120.0%	●
<b>18. Number of elderly victims reporting DV-related sexual/physical assaults to AST</b>	79	122	54.4%	●
<b>19. Number of sexual assaults reported to law enforcement</b>	804	813	1.1%	○
<b>20. Number of sexual abuses of minors reported to law enforcement</b>	428	513	19.9%	●

**Definitions**

**16. Rate of rape reported to law enforcement per 10,000**

*Uniform Crime Reports (UCR).* Uniform Crime Reports (UCR). Rate of rape reported to most law enforcement agencies in Alaska per 10,000 population. Starting in January 2013, states began submitting data to the FBI based on a new, more inclusive definition of rape. The old definition, called "forcible rape", was "the carnal knowledge of a female forcibly and against her will." The revised definition of rape is "The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim." This new definition includes all victims regardless of gender, includes nonconsensual sex involving physical or mental incapacity, and doesn't require physical resistance. Attempted rapes are included, regardless of the age of the victim. Statutory offenses (no force used – victim under age of consent) are excluded. To obtain rates per 100,000, multiply the rates per 10,000 by 10.

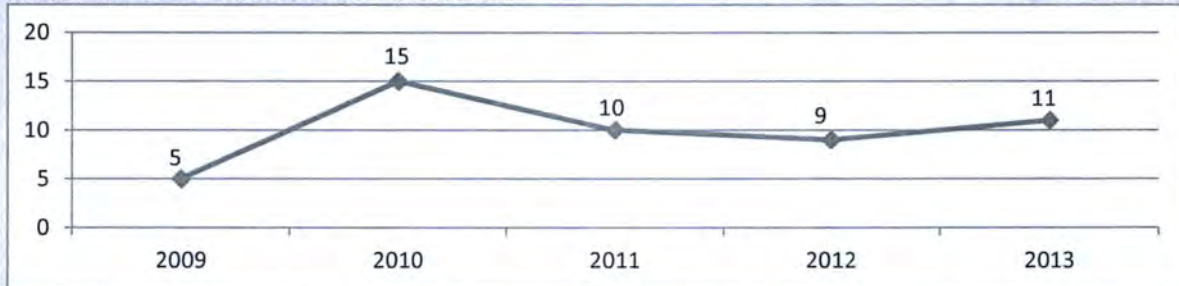
The revised, more inclusive definition of rape will provide a more accurate understanding of the scope and volume of these crimes. Legacy-definition data from prior years has not been edited, and is not comparable with data from 2013 forward. Most current Alaska data is from 2013 and starting Alaska data is from 2009.



Progress is uncertain ○ because data from past years is not comparable to this year's data.

**17. Number of domestic violence related homicides reported to law enforcement**

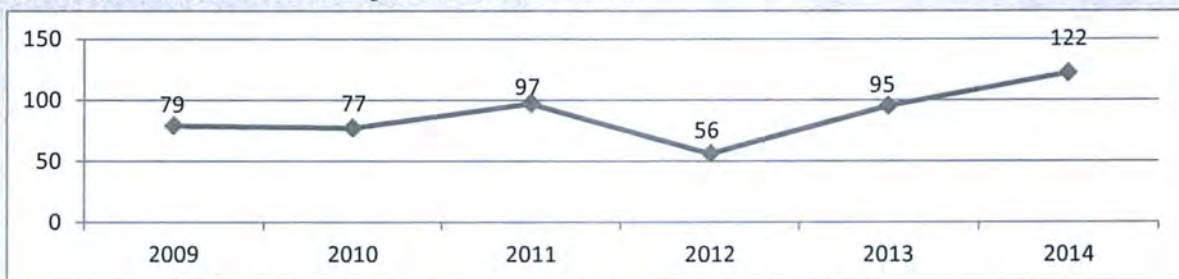
Alaska Department of Public Safety (DPS). Number of homicides (willful nonnegligent killings) known to law enforcement that occurred in Alaska where the homicide was committed by a household member against another household member. Household members include adults or minors who are current or former spouses, who live together or who have lived together, who are dating or who have dated, who are engaged in or who have engaged in a sexual relationship, who are related to each other up to the fourth degree of consanguinity, who are related or formerly related by marriage, who have a child of the relationship. Household members also include children of a person in any of these relationships. In some cases, the relationship of the victim to the offender is unknown. These cases are not included in the number of domestic violence related homicides. Most current data is from 2013 and starting Alaska data is from 2009.



Progress needs improvement ● because the indicator is substantially higher than the starting year.

**18. Number of elderly victims reporting DV-related sexual/physical assaults to AST**

Alaska Department of Public Safety (DPS). Number of elderly victims (age 60 or older) who reported an assault involving domestic violence or a sexual assault involving domestic violence to Alaska State Troopers. This is the unduplicated count of victims, not the count of offenses or cases. In addition, each victim is counted only once per year. This number does not include offenses reported to local or municipal police departments. This number also does not include other domestic violence offenses (other crimes against the person, burglary, criminal trespass, arson or criminally negligent burning, criminal mischief, terrorist threatening, violating a protective order, and harassment). Crimes are domestic violence related if they occur between household members (i.e., adults or minors who are current or former spouses, who live together or who have lived together, who are dating or who have dated, who are engaged in or who have engaged in a sexual relationship, who are related to each other up to the fourth degree of consanguinity, or who are related or formerly related by marriage; persons who have a child of the relationship; and minor children of a person in any of these relationships). Past data has changed due to improved data extraction methods. Most current data is from 2014 and starting Alaska data is from 2009.



Progress is satisfactory ● because reporting has increased by 54.4% since the starting year.

**19. Number of sexual assaults reported to law enforcement (DPS)**

Alaska Department of Public Safety (DPS). Number of sexual assault offences reported to any of Alaska's law enforcement agencies during calendar year 2012. This includes sexual assault offenses in the first through fourth degrees. Alaska Statute 12.62.130 was amended in 2010 to specifically require criminal justice agencies to report to the Department of Public Safety, at a minimum, data regarding each felony sex offense committed in the agency's jurisdiction. Collecting statistics on these offenses as defined in state statute will provide a significant improvement to understanding crime in Alaska and our ability to proactively gauge and address crime trends. Starting Alaska data is from calendar year 2011 and most current Alaska data is from calendar year 2012. This number does not include sexual abuse of minor offenses.

Progress is uncertain ○ because data has not changes significantly from the starting year.

**20. Number of sexual abuse of minors reported to law enforcement (DPS)**

Alaska Department of Public Safety (DPS). Number of sex abuse of a minor offences reported to any of Alaska's law enforcement agencies during calendar year 2012. This includes sex abuse of a minor offenses in the first through fourth degrees. Alaska Statute 12.62.130 was amended in 2010 to specifically require criminal justice agencies to report to the Department of Public Safety, at a minimum, data regarding each felony sex offense committed in the agency's jurisdiction. Collecting statistics on these offenses as defined in state statute will provide a significant improvement to understanding crime in Alaska and our ability to proactively gauge and address crime trends. Starting Alaska data is from calendar year 2011 and most current Alaska data is from calendar year 2012.

Progress is satisfactory ● because reporting has increased from the starting year.

Utilization of Services

	Starting AK Data	Current AK Data	Percent Change	Progress
21. Rate of children evaluated by child advocacy centers per 10,000	81.9	90.8	10.9%	●
22. Rate of adults utilizing services for domestic violence per 10,000	81.6	77.5	-5.0%	●
23. Rate of children with adults in domestic violence services per 10,000	72.8	62.0	-14.8%	●
24. Rate of adults utilizing services for sexual assault per 10,000	20.5	20.7	1.0%	○
25. Rate of youth utilizing services for domestic violence per 10,000	20.1	24.7	22.9%	●
26. Rate of youth utilizing services for sexual assault per 10,000	39.2	28.9	-26.3%	●

Definitions

**21. Rate of children evaluated by child advocacy centers per 10,000**

*Alaska Children's Alliance (ACA)*. Number of children evaluated at a child advocacy center (duplicated count) per 10,000 children ages 0-17. Children are evaluated at child advocacy centers for allegations of child sexual abuse or assault, child physical abuse, drug endangerment, witnessing violent events in the home where they are present, and neglect or medical failure to thrive. Most current Alaska data is from state fiscal year 2013 and starting Alaska data is from state fiscal year 2009.



Progress is satisfactory ● because reporting has increased since the starting year 2009.

**22. Rate of adults utilizing services for domestic violence per 10,000**

*Council on Domestic Violence and Sexual Assault (CDVSA)*. Number of unduplicated adults per 10,000 adults (age 18 and older) who utilized services from a CDVSA-funded domestic violence and sexual assault service agency, and who were recorded at that agency as being a primary victim of domestic violence. Primary victims are adults who are directly harmed, either physically or emotionally, by the actions of another. Domestic violence is defined as any pattern of coercive behavior that is used by one person to gain power and control over a current or former intimate partner. Domestic violence includes dating violence, which is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the program participant. Most current Alaska data is from state fiscal year 2014 and starting Alaska data is from state fiscal year 2010.



Progress needs improvement ● because the rate of utilization of services has decreased since 2010.

### 23. Rate of children with adults in domestic violence services per 10,000

Council on Domestic Violence and Sexual Assault (CDVSA). Number of unduplicated minors per 10,000 minors (ages 0-17) who utilized services from a CDVSA-funded domestic violence or sexual assault service agency, and who were recorded as being a secondary victim of domestic violence. Secondary victims are minors beyond the immediate victim who have been affected by the repercussions of an event or events. These may include child witnesses who although not the direct target of abuse, have been affected. This number does not include minors who were primary victims of domestic violence (even if they were also secondary victims). Domestic violence is defined as any pattern of coercive behavior that is used by one person to gain power and control over a current or former intimate partner. Domestic violence includes dating violence, which is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the program participant. Most current Alaska data is from state fiscal year 2014 and starting Alaska data is from state fiscal year 2010.



Progress needs improvement ● because the rate of utilization of services has decreased since 2010.

### 24. Rate of adults utilizing services for sexual assault per 10,000

Council on Domestic Violence and Sexual Assault (CDVSA). Number of unduplicated adults per 10,000 adults (age 18 and older) who utilized services from a CDVSA-funded domestic violence and sexual assault service agency, and who were recorded at that agency as being primary victims of sexual assault. Primary victims are adults who are directly harmed, either physically or emotionally, by the actions of another. Sexual assault includes both assaults committed by offenders who are strangers to the program participants and assaults committed by offenders who are known to, related by blood or marriage to, or in a dating relationship with the program participant. Most current Alaska data is from state fiscal year 2014 and starting Alaska data is from state fiscal year 2010.



Progress is uncertain ○ because the rate of utilization of services has not changed significantly since 2010.

### 25. Rate of youth utilizing services for domestic violence per 10,000

Council on Domestic Violence and Sexual Assault (CDVSA). Number of unduplicated youth per 10,000 youth (ages 12-17) who utilized services from a CDVSA-funded domestic violence and sexual assault service agency, and who were recorded at that agency as being a primary victim of domestic violence. Primary victims are youth who are directly harmed, either physically or emotionally, by the actions of another. Domestic violence is defined as any pattern of coercive behavior that is used by one person to gain power and control over a current or former intimate partner. Domestic violence includes dating violence, which is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the program participant. Most current Alaska data is from state fiscal year 2014 and starting Alaska data is from state fiscal year 2010.



Progress is satisfactory ● because there is an increase in the rate of utilization of services since 2010.

**26. Rate of youth utilizing services for sexual assault per 10,000**

*Council on Domestic Violence and Sexual Assault (CDVSA).* Number of unduplicated youth per 10,000 youth (ages 12-17) who utilized services from a CDVSA-funded domestic violence and sexual assault service agency, and who were recorded at that agency as being primary victims of sexual assault. Primary victims are youth who are directly harmed, either physically or emotionally, by the actions of another. Sexual assault includes both assaults committed by offenders who are strangers to the program participants and assaults committed by offenders who are known to, related by blood or marriage to, or in a dating relationship with the program participant. Most current Alaska data is from state fiscal year 2014 and starting Alaska data is from state fiscal year 2010.



Progress needs improvement ● because the rate of youth utilizing services has decreased significantly from 2010.

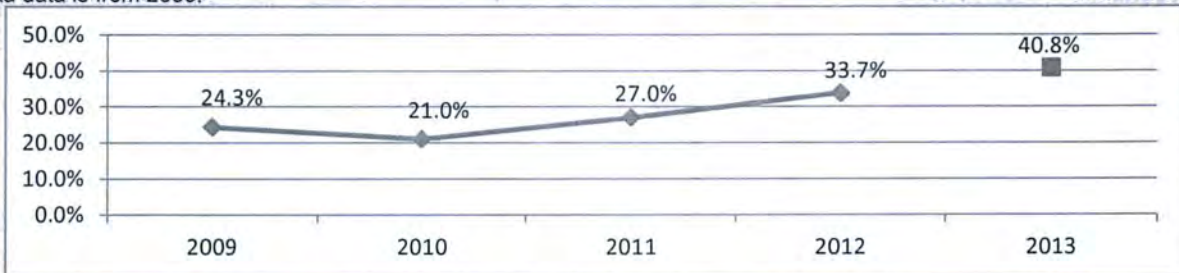
**Offender Accountability**

	Starting AK Data	Current AK Data	Percent Change	Progress
27. Percent of reported rapes resulting in an arrest	N/A	40.8%	N/A	○
28. Rate of juveniles referred for sex offenses per 10,000	10.9	11.8	8.3%	○
29. Rate of juveniles referred for a DV-related assault per 10,000	38.5	36.1	-6.2%	○
30. Number of sexual assault cases accepted for prosecution	111	135	21.6%	●
31. Percent of accepted sexual assault cases with a conviction	63.0%	51.8%	-17.8%	○
32. Number of sexual abuse of minor cases accepted for prosecution	109	118	8.3%	●
33. Percent of accepted sexual abuse of minor cases with a conviction	84.4%	60.1%	-28.8%	○
34. Number of domestic violence cases accepted for prosecution	2617	3270	25.0%	●
35. Percent of accepted domestic violence cases with a conviction	73.8%	75.9%	2.8%	○
36. Percent of adult sex offenders who recidivate	67.0%	60.7%	-9.4%	●

**Definitions**

**27. Percent of reported rapes resulting in an arrest**

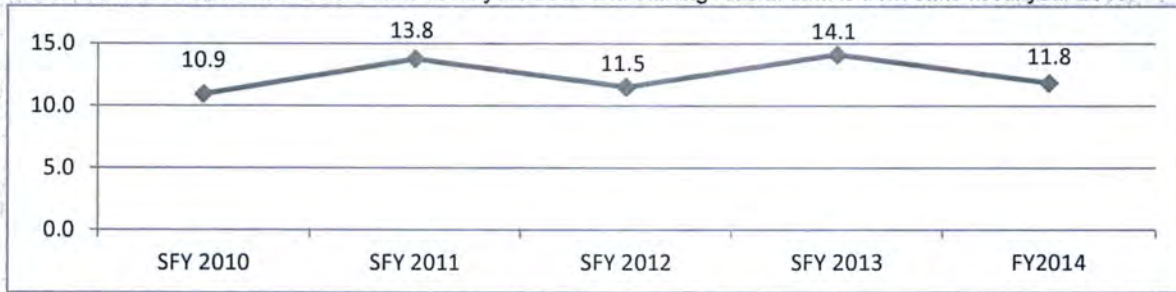
*Alaska Department of Public Safety (Crime Reported in Alaska).* Number of offenses cleared by arrest or exceptional means per actual offenses reported or known to law enforcement. Unfounded complaints are excluded. Starting in 2013, a new, more inclusive definition of rape is used, due to changes in FBI data collection mandates. This new definition includes all victims regardless of gender, includes nonconsensual sex involving physical or mental incapacity, and doesn't require physical resistance. Data before 2013 is not comparable to data from 2013 forward. Most current Alaska data is from 2013 and starting Alaska data is from 2009.



Progress is uncertain ○ because data from past years is not comparable to this year's data.

**28. Rate of juveniles referred for sex offenses per 10,000**

Alaska Division of Juvenile Justice (DJJ). Rate of non-duplicated juveniles per 10,000 (ages 11-17) that are referred to the Alaska Division of Juvenile Justice for sexual assault in the first to fourth degree or sexual abuse of a minor in the first to fourth degree. Most current Alaska data is from state fiscal year 2014 and starting Alaska data is from state fiscal year 2010.



Progress is uncertain ○ because the rate of juveniles referred has fluctuated since 2010. It is currently 8.3% higher than the starting rate, but a significant drop from last year's rate.

**29. Rate of juveniles referred for a DV-related assault per 10,000**

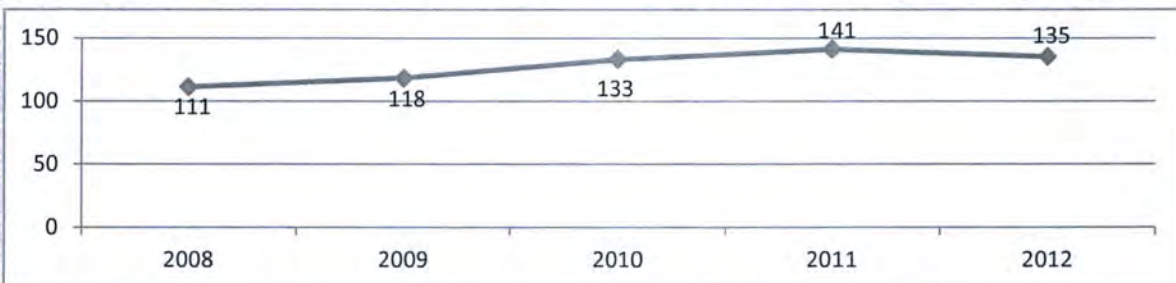
Alaska Division of Juvenile Justice (DJJ). Rate of non-duplicated juveniles per 10,000 (ages 11-17) that are referred to the Alaska Division of Juvenile Justice for domestic violence related assault in the first to fourth degree. An assault is domestic violence related if it occurred between household members (i.e., minors who are current or former spouses, who live together or who have lived together, who are dating or who have dated, who are engaged in or who have engaged in a sexual relationship, who are related to each other up to the fourth degree of consanguinity, or who are related or formerly related by marriage; persons who have a child of the relationship; and minor children of a person in any of these relationships). Most current Alaska data is for state fiscal year 2014. The earliest data available, from state fiscal year 2011, were extrapolated from data ranging from 2/23/11 to 6/30/11. These data were not collected prior to 2/23/11.



Progress is uncertain ○ because the rate of juveniles referred has fluctuated since 2010. It is currently 6.2% lower than the starting rate.

**30. Number of sexual assault cases accepted for prosecution**

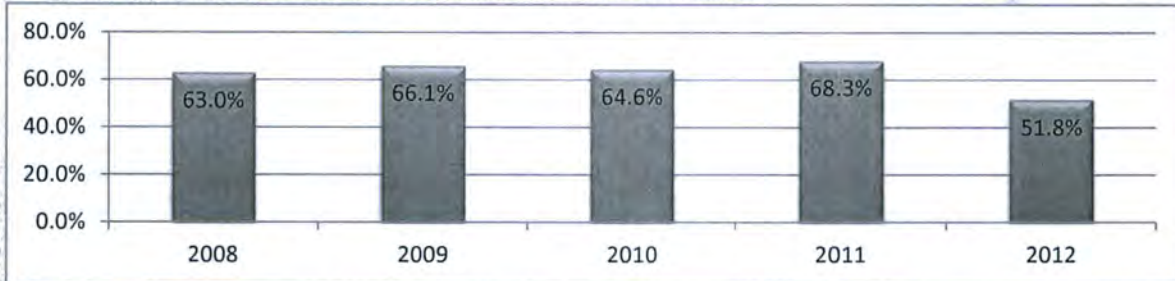
Alaska Department of Law (DOL). Number of cases referred to the Alaska Department of Law that were accepted for prosecution with a sexual assault charge in the first, second, third, or fourth degree. A case is accepted for prosecution when the district attorney's office, after reviewing the file and evidence, determines that there is sufficient credible evidence to convict a specific person of the particular crime. Most current Alaska data is from 2012 and starting Alaska data is from 2008.



Progress is satisfactory ● because the number of cases accepted has increased by 24 since 2008.

### 31. Percent of accepted sexual assault cases with a conviction

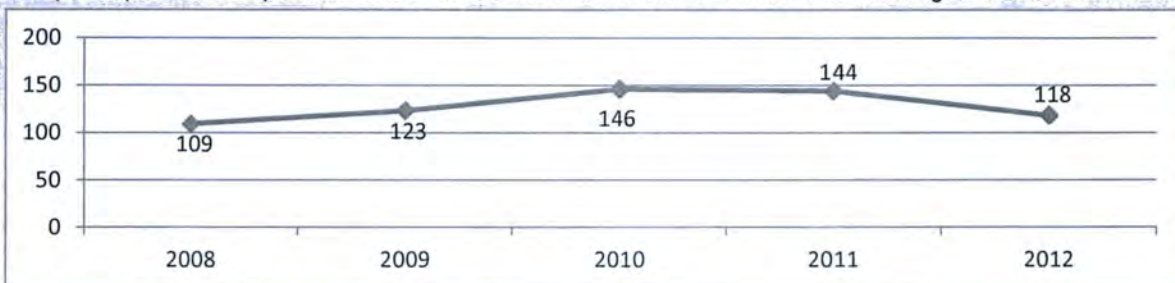
Alaska Department of Law (DOL). Percent of sexual assault cases accepted for prosecution that resulted in a conviction. Percentage is based on the number of cases accepted for prosecution with a sexual assault charge in the first, second, third, or fourth degree. A conviction is an accepted charge resulting in a finding of guilt (on any charge). A finding of guilt can occur through plea bargaining or being found guilty beyond a reasonable doubt by either a judge or jury. Most current Alaska data is from 2012 and starting Alaska data is from 2008. Data across years are not directly comparable because recent cases are more likely to be pending prosecution at the time of the data retrieval than older cases.



Progress is uncertain ○ because the percentage of convictions dropped dramatically, but the percentage still pending increased as dramatically, so the results are still unknown.

### 32. Number of sexual abuse of minor cases accepted for prosecution

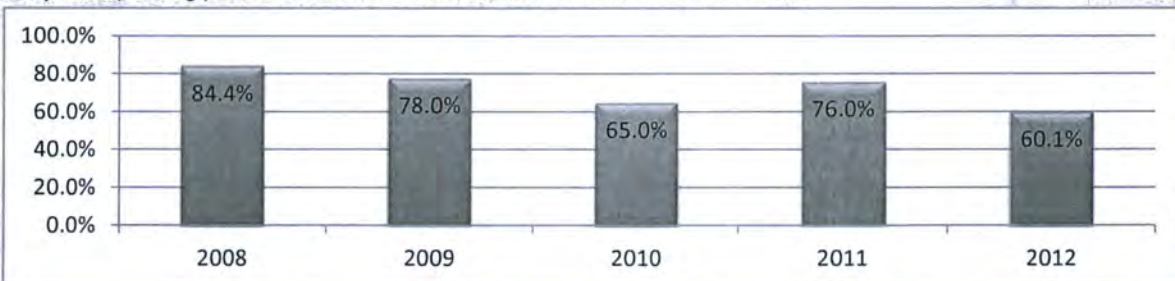
Alaska Department of Law (DOL). Number of cases referred to the Alaska Department of Law that were accepted for prosecution with a sexual abuse of a minor charge in the first, second, third, or fourth degree. A case is accepted for prosecution when the district attorney's office, after reviewing the file and evidence, determines that there is sufficient credible evidence to convict a specific person of the particular crime. Most current Alaska data is from 2012 and starting Alaska data is from 2008.



Progress is satisfactory ● because this indicator has increased since 2008.

### 33. Percent of accepted sexual abuse of minor cases with a conviction

Alaska Department of Law (DOL). Percent of sexual abuse of minor cases accepted for prosecution that resulted in a conviction. Percentage is based on the number of cases accepted for prosecution with a sexual abuse of a minor charge in the first, second, third, or fourth degree. A conviction is an accepted charge resulting in a finding of guilt (on any charge). A finding of guilt can occur through plea bargaining or being found guilty beyond a reasonable doubt by either a judge or jury. Most current Alaska data is from 2012 and starting Alaska data is from 2008. Data across years is not directly comparable because recent cases are more likely to be pending prosecution at the time of the data retrieval than older cases.



Progress is uncertain ○ because the percentage of convictions dropped dramatically, but the percentage still pending increased as dramatically so the results are still unknown.

**34. Number of domestic violence cases accepted for prosecution**

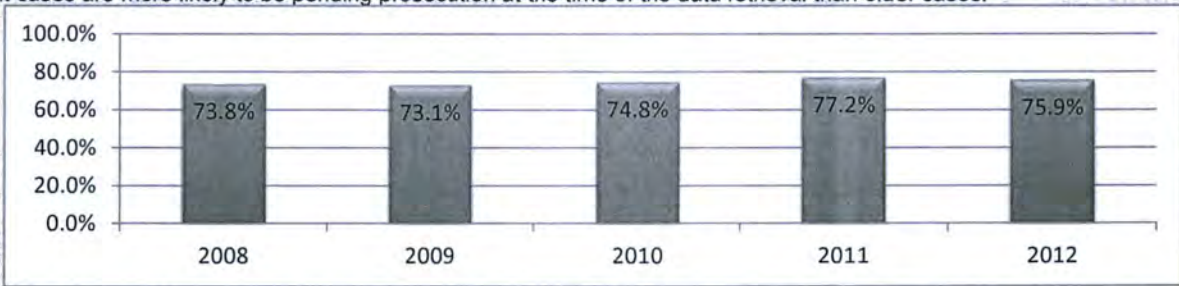
Alaska Department of Law (DOL). Number of cases referred to the Alaska Department of Law that were accepted for prosecution with an assault charge in the first, second, third, or fourth degree involving domestic violence. Most current Alaska data is from 2012 and starting Alaska data is from 2008.



Progress is satisfactory  because the number of accepted referrals has increased by 25.0% from 2008.

**35. Percent of accepted domestic violence cases with a conviction**

Alaska Department of Law (DOL). Percent of assault cases involving domestic violence accepted for prosecution that resulted in a conviction, which may or may not be a domestic violence assault conviction. Percentage is based on the number of cases accepted for prosecution with an assault charge in the first, second, third, or fourth degree involving domestic violence. Most current Alaska data is from 2012 and starting Alaska data is from 2008. Data across years is not directly comparable because recent cases are more likely to be pending prosecution at the time of the data retrieval than older cases.



Progress is uncertain  because the indicator has not changed significantly. Satisfactory progress would cause this indicator to increase.

**36. Percent of adult sex offenders who recidivate (DOC)**

Alaska Department of Correction (DOC). Percent of felon sex offenders who return to incarceration within 3 years of release for any offense type conviction including any misdemeanor or felony offenses. Starting Alaska data is for offenders released in 2007 who were tracked through 2010. Most current Alaska data is for offenders released in 2011 and tracked through 2014.



Progress is satisfactory  because the recidivism rate has decreased since 2010.

## Resources

More information about the Dashboard indicators is available from the following sites.

**Indicator 1:** Behavioral Risk Factor Surveillance System (BRFSS)

<http://dhss.alaska.gov/dph/Chronic/Pages/brfss/default.aspx>

**Indicator 2:** Childhood Understanding Behaviors Survey (CUBS)

<http://dhss.alaska.gov/dph/wcfh/Pages/mchepi/cubs/data/default.aspx>

**Indicators 3, 4, and 13:** Youth Risk Behavior Survey (YRBS)

Alaska: <http://dhss.alaska.gov/dph/Chronic/Pages/yrbs/yrbs.aspx>

National: <http://www.cdc.gov/HealthyYouth/yrbs/overall.htm>

**Indicators 5 and 6:** US Department of Health and Human Services

<http://www.acf.hhs.gov/sites/default/files/cb/cm2013.pdf>

**Indicators 7 and 8:** Alaska Victimization Survey (AVS)

<http://justice.uaa.alaska.edu/avs/>

**Indicators 9 and 12:** Pregnancy Risk Assessment Monitoring System (PRAMS)

Alaska: <http://dhss.alaska.gov/dph/wcfh/Pages/mchepi/prams/default.aspx>

National: <http://www.cdc.gov/prams/>

**Indicators 10 and 11:** Adult Protective Services (APS)

<http://dhss.alaska.gov/dsds/Pages/aps/default.aspx>

**Indicator 14:** Alaska Department of Education and Early Development (DEED)

<http://www.eed.state.ak.us/tls/schoolhealth/fourth.html>

**Indicator 15:** School Climate and Connectedness Survey (SCCS)

<http://alaskaice.org/wordpress/wp-content/uploads/2010/11/SCCS-2014-Statewide-Report-combined.pdf>

**Indicator 16:** National Uniform Crime Reports (UCR):

<http://www.fbi.gov/about-us/cjis/ucr>

**Indicators 17, 18, 19, 20:** Alaska Department of Public Safety (DPS)

<http://dps.alaska.gov/>

**Indicator 21:** Alaska Children's Alliance (ACA)

<http://alaska.nationalchildrensalliance.org/>

**Indicators 22, 23, 24, 25, 26:** Alaska Council on Domestic Violence and Sexual Assault (CDVSA)

<http://dps.alaska.gov/cdvsa/>

**Indicator 27:** Alaska Uniform Crime Reports (UCR):

<http://dps.alaska.gov/statewide/ucr.aspx>

**Indicators 28 and 29:** Alaska DHSS Division of Juvenile Justice

<http://dhss.alaska.gov/djj/Pages/default.aspx>

**Indicators 30, 31, 32, 33, 34, 35:** Alaska Department of Law

[http://law.alaska.gov/department/criminal/criminal\\_div.html](http://law.alaska.gov/department/criminal/criminal_div.html)

**Indicators 36:** Alaska Department of Corrections

<http://www.correct.state.ak.us/>

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# Appendix C

## Initiative Funding

**DVSA Initiative Funding  
FY2011 - FY2015, All Funds  
By Department**

**DVSA Capital Budget**

Dept	Component	Project Title	FY2011		FY2012		FY2013		FY2014		FY2015	
			Funding	Pos	Funding	Pos	Funding	Pos	Funding	Pos	Gov Dec	Pos
DOR	AHFC Operation	Designated DVSA Housing Program for Victims					1,328.4		1,500.0		2,000.0	
DOR	AHFC Operations	VPSO Housing	1,000.0		1,000.0		1,000.0		1,000.0		1,000.0	
DPS	Lab Services	Crime Laboratory Equipment Replacement	86.0									
DPS	CDVSA	Existing DVSA Shelter Maintenance									2,000.0	
<b>Capital Total</b>			<b>\$ 1,086.0</b>	<b>0</b>	<b>\$ 1,000.0</b>	<b>0</b>	<b>\$ 2,328.4</b>	<b>0</b>	<b>\$ 2,500.0</b>	<b>0</b>	<b>\$ 5,000.0</b>	<b>0</b>

**DVSA Operating Budget**

Dept	Component	Project Title	FY2011		FY2012		FY2013		FY2014		FY2015	
			Funding	Pos	Funding	Pos	Funding	Pos	Funding	Pos	Gov Dec	Pos
DOC	Statewide Probation and Parole	Targeting Supervised Release of DVSA Felons - Anchorage, Fairbanks, Bethel					338.9	3				
DOC	Sex Offender Management Program	Institutional Sex Offender Management Pgm					200.0					
DOC	Sex Offender Management Program	Bethel Sex Offender Management Pgm Support					150.0					
DOC	Institution Director's Office	FN - Sexual Assault, Child Porn. Distribution of Indecent Materials (SB222)			136.9							
<b>DOC subtotal</b>			<b>\$ -</b>	<b>0</b>	<b>\$ 136.9</b>	<b>0</b>	<b>\$ 688.9</b>	<b>3</b>	<b>\$ -</b>	<b>0</b>	<b>\$ -</b>	<b>0</b>
DEED	Student and School Achievement	School Health and Safety Coordinator Base Funding			200.0							
<b>DEED subtotal</b>			<b>\$ -</b>	<b>0</b>	<b>\$ 200.0</b>	<b>0</b>	<b>\$ -</b>	<b>0</b>	<b>\$ -</b>	<b>0</b>	<b>\$ -</b>	<b>0</b>
Gov	DVSA	Prevention and Intervention Programs	3,000.0		3,000.0		3,000.0		3,000.0		3,000.0	
Gov	Executive Office	DVSA Coordinator (Replace \$100.0 MHTAAR in FY12)	200.0	1	100.0							
<b>Gov subtotal</b>			<b>\$ 3,200.0</b>	<b>1</b>	<b>\$ 3,100.0</b>	<b>0</b>	<b>\$ 3,000.0</b>	<b>0</b>	<b>\$ 3,000.0</b>	<b>0</b>	<b>\$ 3,000.0</b>	<b>0</b>
DHSS	Prevention	Alaska Family Violence Prevention Project			200.0							
DHSS	SDS Admin	Adult Protective Services and Provider Quality Assurance					550.0					
DHSS	Svs/Severely Emotion Dist Yth	MH Trust: Early Childhood Screening and Brief Behavioral Services					380.0					
DHSS	BH Grants	MH Trust: Trauma Informed Care					380.0					
DHSS	Probation Services	MH Trust: Juvenile Justice Trauma Informed Care							150.0			
DHSS	BH Grants	Telehealth Strategic Capacity Expansion					90.0		200.0			
DHSS	Infant Learning Program Grants	MH Trust: Child Abuse Prevention and Treatment Act Integration							1,500.0			
DHSS	Family Preservation	Strengthening Families through Early Care and Education			250.0				400.0		250.0	
DHSS	Family Preservation	Child Advocacy Center Funding										
<b>DHSS subtotal</b>			<b>\$ -</b>	<b>0</b>	<b>\$ 450.0</b>	<b>0</b>	<b>\$ 1,360.0</b>	<b>0</b>	<b>\$ 2,250.0</b>	<b>0</b>	<b>\$ 250.0</b>	<b>0</b>
Law	Second Judicial	New Attorney in Kotzebue			157.5	1	52.5					
Law	Third Judicial: Anchorage	Language Interpreter Program for Victims and Witnesses of DVSA Crimes					105.0		35.0			
Law	Fourth Judicial District	Victim/Witness Paralegal in Bethel							140.0	1		
Law	Criminal Appeals/Special Litigation	Cold Case Prosecutor in Anchorage					168.8	1	56.2			
Law	Criminal Justice Litigation	Victim Information Notification Everyday (VINE)							80.0		80.0	
Law	Child Protection	Child Protection Attorneys and Support Staff - Kenai, Palmer, Fairbanks	200.0	1	262.5	2	87.5		140.0	1		
<b>Law subtotal</b>			<b>\$ 200.0</b>	<b>1</b>	<b>\$ 420.0</b>	<b>3</b>	<b>\$ 413.8</b>	<b>1</b>	<b>\$ 451.2</b>	<b>2</b>	<b>\$ 80.0</b>	<b>0</b>
DPS	CDVSA	Expand Community Prevention Efforts			122.5	1	250.0		-			
DPS	CDVSA	Data Collection					50.0					
DPS	CDVSA	Planning and Coordination (Contractual)					55.0					
DPS	CDVSA	Support for Domestic Violence Shelters	381.9		550.0		475.5		287.5		287.5	
DPS	CDVSA	DVSA Victim Services/Programs	325.0						250.0			
DPS	CDVSA	Services for Children Exposed in DVSA Programs									250.0	
DPS	VPSO Contracts	VPSO Cost of Living Adjustment and Merit Increases	223.8									
DPS	VPSO Contracts	Governor's Village Public Safety Officer Initiative (Includes one-time costs for equipment and training)	1,261.5		3,371.2	3	2,688.9	1	1,099.8	1	3,428.0	1
DPS	VPSO Support	VPSO/VPO Regional 12-Week Training Program, 2x/Yr					500.0					
DPS	AST Detachments	DVSA Investigations, Training, and Exams	725.0	3								
DPS	Special Projects	Violence Against Women Act Training	75.0									
DPS	Alaska Bureau of Investigations	Investigator and Criminal Justice Tech I for Internet Crimes Against Children Cases			359.6	2						
DPS	AK Bureau of Investigation	ABI Investigators (JAG Recovery Act GF Replacement) - Internet Crimes Against Children, Violence Against Women					332.8		914.2			
DPS	Lab Services	Pediatric Sexual Assault Kits	12.3									
DPS	Lab Services	DNA Analyst for Unknown Suspect Sexual Assault Cases	92.8									
DPS	Lab Services	Strengthen Capacity to Timely Conduct Biological Screening and DNA Analysis in Sexual Assault Cases									115.0	
DPS	AK Police Sids Council	DVSA and Rural Law Enforcement Training			50.0							
<b>DPS subtotal</b>			<b>\$ 3,097.3</b>	<b>3</b>	<b>\$ 4,453.3</b>	<b>6</b>	<b>\$ 4,332.2</b>	<b>1</b>	<b>\$ 2,551.5</b>	<b>1</b>	<b>\$ 4,080.5</b>	<b>1</b>
Courts	Trial Courts	Part-time DVSA Coordinator			78.2							
<b>Courts subtotal</b>			<b>\$ -</b>	<b>0</b>	<b>\$ 78.2</b>	<b>0</b>	<b>\$ -</b>	<b>0</b>	<b>\$ -</b>	<b>0</b>	<b>\$ -</b>	<b>0</b>
<b>Operating Total</b>			<b>\$ 6,497.3</b>	<b>5</b>	<b>\$ 8,838.4</b>	<b>9</b>	<b>\$ 9,794.9</b>	<b>5</b>	<b>\$ 8,252.7</b>	<b>3</b>	<b>\$ 7,410.5</b>	<b>1</b>
<b>Capital and Operating Total</b>			<b>\$ 7,583.3</b>	<b>5</b>	<b>\$ 9,838.4</b>	<b>9</b>	<b>\$ 12,123.3</b>	<b>5</b>	<b>\$ 10,752.7</b>	<b>3</b>	<b>\$ 12,410.5</b>	<b>1</b>

**DVSA Initiative Funding  
FY2011 - FY2015, All Funds  
By Category**

**Prevention and Intervention**

			FY2011	FY2012	FY2013	FY2014	FY2015			
Dept	Component	Project Title	Funding	Pos	Funding	Pos	Funding	Pos	Gov Dec	Pos
Gov	DVSA	Prevention and Intervention Programs	3,000.0		3,000.0		3,000.0		3,000.0	
Gov	Executive Office	DVSA Coordinator (Replace \$100.0 MHTAAR in FY12)	200.0	1	100.0					
DEED	Student and School Achievement	School Health and Safety Coordinator Base Funding			200.0					
DHSS	Chronic Disease Prevention	Alaska Family Violence Prevention Project			200.0					
DHSS	Family Preservation	Strengthening Families through Early Care and Education						250.0		
DHSS	BH Grants	MH Trust: Trauma Informed Care				360.0				
DHSS	Probation Services	MH Trust: Juvenile Justice Trauma Informed Care					150.0			
DHSS	Infant Learning Program Grants	MH Trust: Child Abuse Prevention and Treatment Act Integration					1,500.0			
DPS	CDVSA	Expand Community Prevention Efforts			122.5	1	250.0			
DPS	CDVSA	Services for Children Exposed in DVSA Programs					50.0			250.0
DPS	CDVSA	Data Collection					55.0			
DPS	CDVSA	Planning and Coordination (Contractual)								
<b>Prevention and Intervention Total</b>			<b>\$ 3,200.0</b>	<b>1</b>	<b>\$ 3,622.5</b>	<b>1</b>	<b>\$ 3,715.0</b>	<b>0</b>	<b>\$ 4,650.0</b>	<b>0</b>

**Support for Survivors**

Dept	Component	Project Title	Funding	Pos	Funding	Pos	Funding	Pos	Funding	Pos	Gov Dec	Pos
Courts	Trial Courts	Part-time DVSA Coordinator			78.2							
DHSS	SDS Admin	Adult Protective Services and Provider Quality Assurance					550.0					
DHSS	Svs/Severely Emotion Dist Yth	MH Trust: Early Childhood Screening and Brief Behavioral Services					360.0					
DHSS	BH Grants	Telehealth Strategic Capacity Expansion					90.0		200.0			
DHSS	Family Preservation	Child Advocacy Center Funding			250.0				400.0			
DOR	AHFC Operations	Designated DVSA Housing Program for Victims - CAPITAL					1,328.4		1,500.0		2,000.0	
DPS	CDVSA	DVSA Victim Services/Programs	325.0						250.0			
DPS	CDVSA	Existing DVSA Shelter Maintenance - CAPITAL									2,000.0	
DPS	CDVSA	Support for Domestic Violence Shelters	381.9		550.0		475.5		287.5		287.5	
<b>Support for Survivors Total</b>			<b>\$ 706.9</b>	<b>0</b>	<b>\$ 878.2</b>	<b>0</b>	<b>\$ 2,803.9</b>	<b>0</b>	<b>\$ 2,637.5</b>	<b>0</b>	<b>\$ 4,287.5</b>	<b>0</b>

**Law Enforcement**

Dept	Component	Project Title	Funding	Pos	Funding	Pos	Funding	Pos	Funding	Pos	Gov Dec	Pos
DOR	AHFC Operations	VPSO Housing - CAPITAL	1,000.0		1,000.0		1,000.0		1,000.0		1,000.0	
DOC	Statewide Probation and Parole	Targeting Supervised Release of DVSA Felons - Anchorage, Fairbanks, Bethel					338.9	3				
DOC	Sex Offender Management Program	Institutional Sex Offender Management Pgm					200.0					
DOC	Sex Offender Management Program	Bethel Sex Offender Management Pgm Support					150.0					
DOC	Institution Director's Office	FN - Sexual Assault, Child Porn, Distribution of Indecent Materials (SB222)			136.9							
Law	Second Judicial District	New Attorney in Kotzebue			157.5	1	52.5					
Law	Third Judicial: Anchorage	Language Interpreter Program for Victims and Witnesses of DVSA Crimes					105.0		35.0			
Law	Fourth Judicial District	Victim/Witness Paralegal in Bethel							140.0	1		
Law	Criminal Appeals/Special Litigation	Cold Case Prosecutor in Anchorage					168.8	1	56.2			
Law	Criminal Justice Litigation	Victim Information Notification Everyday (VINE)							80.0		80.0	
Law	Child Protection	Child Protection Attorneys and Support Staff - Kenai, Palmer, Fairbanks	200.0	1	262.5	2	87.5		140.0	1		
DPS	AK Bureau of Investigations	Investigator and Criminal Justice Tech I for Internet Crimes Against Children Cases			359.6	2						
DPS	AK Bureau of Investigations	ABI Investigators (JAG Recovery Act GF Replacement) - Internet Crimes Against Children, Violence Against Women					332.8		914.2			
DPS	Lab Services	Crime Laboratory Equipment Replacement - CAPITAL	86.0									
DPS	Lab Services	Pediatric Sexual Assault Kits	12.3									
DPS	Lab Services	DNA Analyst for Unknown Suspect Sexual Assault Cases	92.8									
DPS	Lab Services	Strengthen Capacity to Timely Conduct Biological Screening and DNA Analysis in Sexual Assault Cases									115.0	
DPS	VPSO Contracts	VPSO Cost of Living Adjustment and Merit Increases	223.8									
DPS	VPSO Contracts	Governor's Village Public Safety Officer Initiative (Includes one-time costs for equipment and training)	1,261.5		3,371.2	3	2,668.9	1	1,099.8	1	3,428.0	1
DPS	VPSO Support	VPSO/VPO Regional 12-Week Training Program, 2x/Yr					500.0					
DPS	AST Detachments	DVSA Investigations, Training, and Exams	725.0	3								
DPS	Special Projects	Violence Against Women Act Training	75.0									
DPS	AK Police Sids Council	DVSA and Rural Law Enforcement Training			50.0							
<b>Law Enforcement and Public Safety Total</b>			<b>\$ 3,676.4</b>	<b>4</b>	<b>\$ 5,337.7</b>	<b>8</b>	<b>\$ 5,604.4</b>	<b>5</b>	<b>\$ 3,465.2</b>	<b>3</b>	<b>\$ 4,623.0</b>	<b>1</b>

**DVSA Initiatives Summarized**

1. Prevention and Intervention
2. Support for Survivors
3. Law Enforcement

FY2011	FY2012	FY2013	FY2014	FY2015	
Funding	Pos	Funding	Pos	Gov Dec	Pos
\$ 3,200.0	1	\$ 3,622.5	1	\$ 3,715.0	0
\$ 706.9	0	\$ 878.2	0	\$ 2,803.9	0
\$ 3,676.4	4	\$ 5,337.7	8	\$ 5,604.4	5
<b>\$ 7,583.3</b>	<b>5</b>	<b>\$ 9,838.4</b>	<b>9</b>	<b>\$ 12,123.3</b>	<b>5</b>
				<b>\$ 3,465.2</b>	<b>3</b>
				<b>\$ 10,752.7</b>	<b>3</b>
				<b>\$ 4,287.5</b>	<b>0</b>
				<b>\$ 4,623.0</b>	<b>1</b>
				<b>\$ 3,500.0</b>	<b>0</b>
				<b>\$ 12,410.5</b>	<b>1</b>

**Total All Categories**

**DVSA Initiative Funding  
FY2011 - FY2015, All Funds  
Governor's \$3.0 Million Prevention and Intervention Detail**

<i>Dept</i>	<i>Component</i>	<i>Project Title</i>	<b>FY2011</b>	<b>FY2012</b>	<b>FY2013</b>	<b>FY2014</b>	<b>FY2015</b>
			<i>Funding</i>	<i>Funding</i>	<i>Funding</i>	<i>Funding</i>	<i>Gov Dec</i>
<b>Gov</b>	DVSA	DVSA Support and Planning, Coordinator's Office	50.0	50.0	50.0	50.0	50.0
<b>DOC</b>	Statewide Probation and Parole	DV Misdemeanant PACE Pilot, Fairbanks		200.0	200.0	200.0	200.0
<b>DEED</b>	Student and School Achievement	School Health and Safety Coordinator-DEED	200.0				
<b>DEED</b>	Student and School Achievement	DVSA Prevention Programs				50.0	50.0
<b>DHSS</b>	BH Grants/CAPI in FY13	Family Wellness Warriors Initiative	400.0	200.0	200.0	150.0	150.0
<b>DHSS</b>	BH Grants	Trauma-Informed Training for Behavioral Health Providers	200.0	200.0	200.0	200.0	200.0
<b>DHSS</b>	CAPI	Multi-disciplinary Rural Community Pilot Project	1,350.0	1,400.0	1,400.0	1,400.0	-
<b>DHSS</b>	Family Preservation	Children's Advocacy Center Expansion	40.0				
<b>DPS</b>	CDVSA	Batterers' Intervention, Evaluation and Investigation of Evidence Based Practices	100.0				
<b>DPS</b>	CDVSA	Pro-Bono Attorney Clearinghouse	60.0	60.0	60.0	60.0	60.0
<b>DPS</b>	CDVSA	Universal Public Education Marketing (prevention)	300.0	450.0	450.0	450.0	490.0
<b>DPS</b>	CDVSA	Victimization Study, Evaluation and Planning Grants (research)	237.7	400.0	400.0	400.0	400.0
<b>DPS</b>	CDVSA	Community Based Prevention Projects					1,400.0
<b>UAA</b>	Systemwide Reductions/Additions	Future Provider Workforce Development/Training		40.0	40.0	40.0	-
<b>UAA</b>		DVSA Research Services	62.3				
<b>Total</b>			<b>\$ 3,000.0</b>	<b>\$ 3,000.0</b>	<b>\$ 3,000.0</b>	<b>\$ 3,000.0</b>	<b>\$ 3,000.0</b>



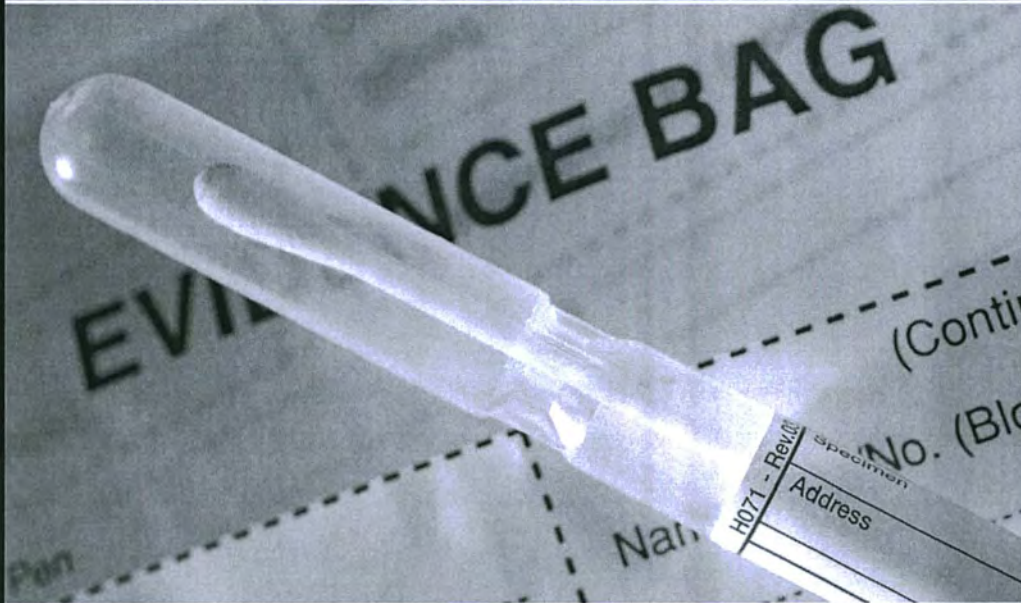
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## The Road Ahead: Unanalyzed Evidence in Sexual Assault Cases

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MAY 2011

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## **The Road Ahead: Unanalyzed Evidence in Sexual Assault Cases**

*Nancy Ritter*

NCJ 233279



**John H. Laub**

*Director, National Institute of Justice*

Findings and conclusions of the research reported here are those of the author and do not necessarily reflect the official position or policies of the U.S. Department of Justice.

The National Institute of Justice is a component of the Office of Justice Programs, which also includes the Bureau of Justice Assistance; the Bureau of Justice Statistics; the Community Capacity Development Office; the Office for Victims of Crime; the Office of Juvenile Justice and Delinquency Prevention; and the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART).

## About This Report

Untested sexual assault evidence is being discovered in police evidence rooms all across the country. In this report, the National Institute of Justice (NIJ) offers an overview of the issue. We look at a variety of ramifications for the police and crime laboratories, for the courts and for the victims.

It is unknown how many unanalyzed sexual assault kits (SAKs) there are nationwide. There are many reasons for this, but one is that tracking and counting SAKs is an antiquated process in many U.S. jurisdictions. Certainly, there may be legitimate reasons why some of the recently discovered unanalyzed SAKs were not sent to a lab. Not all evidence collected in an alleged sexual assault is going to be probative. For example, in cases where “consent” is an issue (the suspect admits sexual contact but maintains it was consensual), detectives may consider that the SAK does not add any important information to the investigation. That said, it is clear that we, as a nation, need to understand more about how law enforcement decides to submit a SAK to the crime lab for analysis (or not) and how cases are triaged for other investigation.

### Should all newly discovered SAKs be analyzed?

What should a jurisdiction do when a large number of untested SAKs are discovered?

Should officials try to come up with the resources to test them all — even cases that may be 25 years old — or should they establish a prioritization or “triage” process to determine which SAKs should be sent to the lab, and when?

This report explores some of the reasons why the answers to these questions are not as straightforward as they may seem. Jurisdictions are using various approaches to tackle the untested SAK problem. However, developing scientific evidence to determine which approaches are the most effective — solving the most crimes with the greatest efficiency, considering current fiscal realities — will take time.

This report also explores some of the issues behind “stranger” and “acquaintance” rape; implications for police investigation and case prosecution, particularly with respect to statutes of limitations; and the sensitive and multifaceted issue of victim notification in older cases.

As the nation grapples with the discovery of thousands of older sexual assault kits, it is crucial that we balance justice, public safety and the victims’ needs. The goal is to move beyond the “crisis management” of the moment to the adoption of systematic practices, procedures and protocols that will prevent this situation from ever happening again.

## The Road Ahead: Unanalyzed Evidence in Sexual Assault Cases

Nancy Ritter



Lately it seems that, every few months, thousands of untested rape kits are discovered in another police evidence room around the country: 10,000 in Los Angeles, 12,000 in Dallas, 10,500 in Detroit.

The road ahead for resource-strapped jurisdictions trying to deal with the discovery of older, unanalyzed sexual assault evidence is anything but straightforward. In fact, the repercussions are affecting every stakeholder in the nation's criminal justice system: the police and crime laboratories; the courts; victim service agencies; policy-makers at the federal, state and local levels; and, most significantly, the victims.

A rape kit — more accurately called a sexual assault kit (SAK) — is a box or envelope used to collect and store biological evidence from the victim of an alleged sexual assault. Evidence in a SAK can include vaginal, oral or anal swabs that may yield the perpetrator's DNA. Photographs, hair, fingerprints, fibers, bed sheets or clothing would be stored in bags, not in the SAK itself. (See sidebar, p. 2, "What Is a Sexual Assault Kit?")

### About the Author

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Untested SAKs can be stored in a number of places: police department evidence rooms, crime labs, hospitals, clinics, rape crisis centers. It is unknown how many unanalyzed SAKs there are nationwide. There are many reasons for this, but one of the primary ones is that tracking and counting SAKs is an antiquated process in many U.S. jurisdictions. A recent National Institute of Justice (NIJ) survey found that

four in 10 of the nation's law enforcement agencies — 43 percent — do not have a computerized system for tracking forensic evidence, either in their inventory or after it is sent to the crime lab (see *The 2007 Survey of Law Enforcement Forensic Evidence Processing*, available at <http://www.nij.gov/topics/law-enforcement/handling-evidence/unanalyzed-evidence.htm>). Just one example among many: The Los Angeles County Sheriff's Department still uses handwritten evidence tags and log books.

According to the NIJ survey (more than 2,000 law enforcement agencies responded), 18 percent of unsolved alleged sexual assaults that occurred from 2002 to 2007 contained forensic evidence that was still in police custody (not submitted to a crime lab for analysis). (See sidebar, p. 3, "Untested Evidence in Law Enforcement Agencies.")

There may be legitimate reasons why some of the recently discovered unanalyzed SAKs were not sent to a lab. Not all evidence collected in an alleged sexual assault is going to be probative. In cases where "consent" is an issue (the suspect admits sexual contact but maintains it was consensual), detectives may consider that the SAK does not add any important information to the investigation. Evidence also may not be sent to a lab for analysis if charges against the alleged perpetrator have been dropped or the suspect has pled guilty.

On the other hand, the NIJ survey also revealed some concerns regarding why

## WHAT IS A SEXUAL ASSAULT KIT?

Sexual assault kits (SAKs) — often called “rape kits” — were introduced in the 1960s as a tool to collect and store biological and trace evidence in cases of alleged sexual assault. SAKs may contain:

- Vaginal, anal and oral swabs.
- Pubic hair combings.
- Blood and urine specimens.
- Fingernail scrapings.

The victim’s clothing, bedding and other physical evidence in a sexual assault may also be collected and submitted to a lab for analysis, but these are not technically considered part of the SAK.

Unfortunately, the composition of SAKs can vary from jurisdiction to jurisdiction. For example, although the police and sheriff’s departments in Los Angeles County use the same SAK, the rest of California does not. This can affect consistent collection and processing procedures.

In Illinois — where the state police are required to provide SAKs to every state agency — consistency and quality control issues are addressed through a single SAK coordinator, who provides feedback to medical professionals and others who collect evidence.

untested evidence may not be sent to a crime lab for testing. Forty-four percent of the law enforcement agencies said that one of the reasons they did not send evidence to the lab was that a suspect had not been identified. Fifteen percent said that they did not submit evidence because analysis had not been requested by a prosecutor. These findings indicate that some law enforcement agencies may not fully understand the potential value of

However, collecting consistent and high-quality evidence can be a particular problem in non-urban jurisdictions. Nine hundred of the 1,350 rape crisis centers in the U.S. are in rural areas, where turnover among hospital and clinic staff is high. Many people in rural America, including Indian Country, do not know how to obtain or use a SAK, and they have no access to a sexual assault nurse examiner (SANE).

SANEs and sexual assault forensic examiners (SAFEs) are highly trained professionals who provide medical care to victims and ensure the consistency and quality of evidence collection. This is a balancing act. SANEs and SAFEs maintain that evidence collection should not trump health care. In fact, the first concerns for many women who have just been sexually assaulted are fear of HIV or other sexually transmitted diseases, pregnancy and the need for psychological counseling. A well-trained SANE or SAFE is crucial to simultaneously assuring the health of the victim and the collection of high-quality evidence for possible future criminal proceedings.

forensic evidence in developing new leads in a criminal investigation.

That said, it is clear that we need to understand more about how law enforcement decides to submit a SAK to the crime lab for analysis (or not) and how cases are triaged for other investigation. To do that, we must examine the myriad issues surrounding the discovery of thousands of unanalyzed SAKs.

## UNTESTED EVIDENCE IN LAW ENFORCEMENT AGENCIES

In 2009, the National Institute of Justice (NIJ) published the results of a nationwide survey of forensic evidence that had not been submitted by a police agency to the crime laboratory for analysis. More than 2,000 state and local law enforcement departments responded to the survey.

The findings revealed that, during 2002-2007, police had not submitted forensic evidence — including DNA, fingerprints, firearms and toolmarks — to a crime lab in:

- 18 percent of unsolved rapes.
- 14 percent of unsolved homicides.
- 23 percent of unsolved property crimes.

Although there are reasons why police may not send forensic evidence to a lab — it may not be considered probative, the charges may have been dropped, or a guilty plea may already have been entered — the researchers at Research Triangle Institute, International, which conducted the survey, concluded that some police may not fully understand the value of evidence in developing new investigative leads.

Forty-four percent of the responding police departments said one of the reasons they did not send evidence to the lab was because a suspect had not been identified. Fifteen percent said they did not submit evidence because analysis had not been requested by a prosecutor. Three in 10 said they did not submit evidence because they were uncertain of its usefulness.

These are important findings because evidence can potentially identify a suspect in a so-called “no suspect” case. For example, DNA can identify a possible perpetrator through the Combined DNA Index System (CODIS), the national DNA database, and latent prints can identify a possible perpetrator through databases such as the national Integrated Automated Fingerprint Identification System (IAFIS).

The knowledge gap revealed in the NIJ survey — particularly among the nation’s small departments (less than 25 officers) — could be due to a lack of training. Specialized training in these cases may have been beneficial and could have led to a different outcome. Also,

11 percent of the agencies that responded to the survey said that one reason they did not submit evidence was the lab’s inability to produce timely results, and 6 percent said that the lab was not accepting new evidence because of a backlog.

When considering this knowledge gap, it is important to remember that CODIS did not become operational until the late 1990s and could still be considered relatively new. Whether some detectives do not forward evidence to the lab because they do not fully understand how a “no suspect” CODIS hit can aid their investigation — or because there are standing policies or other issues that prevent them from doing so — is an issue that merits further study.

Finally, it is important to understand what the NIJ survey did not determine. For example, the survey did not reveal how many of the cases not sent to a lab would actually have benefitted from analysis. The survey also did not address the number of unsolved cases in which evidence had been analyzed in the past but now — with the benefit of larger offender databases and new forensic technologies — might be solved or yield investigative leads; for example, a latent print submitted to IAFIS several years ago with no successful match could yield a hit now.

Some of the police departments noted that their survey responses were based on estimates. Larger agencies (including large county and state agencies) reported difficulty in providing information about sexual assaults because these records are not maintained in a centralized system. Property crimes in larger agencies are typically investigated at the precinct level (where the case information would be maintained), and

*Forty-four percent of the police departments said one of the reasons they did not send evidence to the lab was because a suspect had not been identified.*

Continued on page 4

## UNTESTED EVIDENCE IN LAW ENFORCEMENT AGENCIES (CONTINUED)

this may also be true for rape cases. Finally, it is important to note that the survey's findings are based on self-reported information; there was no independent verification of the data.

Despite these caveats, however, there is no doubt that the survey reveals problems with an ongoing lack of procedures and policies for collecting, processing and storing forensic evidence, including cases of alleged sexual assault. Policies and practices for evidence retention vary widely from jurisdiction to jurisdiction, with one in five agencies saying that they were not sure whether they had such policies. Less than half of the police departments, for example, said they had a policy regarding the preservation of biological evidence in cases where the defendant was found guilty.

The researchers who performed the survey made a number of recommendations to address these issues, including:

- Training police on the benefits and use of forensic evidence, including protocols for sending cases to the lab for analysis.
- Creating (or improving) information management systems to track forensic evidence and enhance communication among the police, lab and prosecutor's office. This could include connected evidence tracking systems, dedicated staff for case management and regular team meetings for case review.
- Providing more storage capacity for analyzed and unanalyzed forensic evidence, and standardized evidence-retention policies.
- Providing more research to determine what proportion of the open cases could benefit from forensic testing, and how such cases should be prioritized for testing.

The full report, *The 2007 Survey of Law Enforcement Forensic Evidence Processing*, by Kevin J. Strom, Jeri Roper-Miller, Shelton Jones, Nathan Sikes, Mark Pope and Nicole Horstmann, is available at <http://www.nij.gov/topics/law-enforcement/investigations/handling-evidence/unanalyzed-evidence.htm>.

### Should all newly discovered SAKs be analyzed?

What should a jurisdiction do when a large number of untested SAKs are discovered? Should officials try to come up with the resources to test them all — even cases that may be 25 years old — or should they establish a prioritization or “triage” process to determine which SAKs should be sent to the lab, and when? Unfortunately, there has been little research in this area, and there are few evidence-based “best practices” to help jurisdictions handle the crisis management of the moment — and to prevent this problem from developing again in the future.

In Dallas, for instance, evidence in 12,000 cases of alleged sexual assault, which occurred from 1981 to 1995, was recently discovered in police custody; the evidence in many of these cases is not even a complete SAK — only swabs taken during the examination of the victim. Dallas officials determined that testing all of the evidence is not possible at current resource levels. As in most jurisdictions, “cold cases” in Dallas are a lower priority than new cases, and it can take up to two years to get DNA results back from their lab. Therefore, at this point, only unsolved stranger rapes are being tested; based on a preliminary analysis, this represents 20–25 percent — about

3,000 cases — of the recently discovered evidence.

In Los Angeles, the recently discovered SAKs were sent to private labs for analysis (a process called “outsourcing”) and paid for, in part, through NIJ’s DNA backlog reduction grant program. Although officials intended to have all of the SAKs tested, cases still had to be prioritized. Therefore, the Los Angeles Police Department (LAPD) established this order for testing: (1) stranger/unknown suspect sexual assaults and cases in which the alleged perpetrator was in a position of trust, (2) acquaintance rape, (3) cases previously rejected by the district attorney’s office, and (4) cases in which there was a question that a crime occurred.

It is important to note that, even with a decision to outsource the analysis of evidence, crime labs in jurisdictions where large numbers of SAKs are discovered are still greatly affected. In the U.S., public labs must perform a technical or “peer” review of analyses done in a private lab. The LAPD crime lab, for example, has had to devote 10–15 analysts to managing the very time-consuming technical review for the recently discovered SAKs. In fact, this has led to what some refer to as the “new backlog” of cases awaiting technical review. This is not an insignificant issue, as current FBI rules require completion of a technical review before a DNA profile can be uploaded to the Combined DNA Index System (CODIS). (See sidebar, right, “The Challenges of Crime Lab Staffing.”)

In Detroit — where 10,500 unprocessed, untested or improperly stored SAKs from 1988 to 2006 were recently discovered — officials have randomly selected 400 cases to review, screen and test. (See sidebar, p. 6, “Detroit: One Jurisdiction Begins.”)

## THE CHALLENGES OF CRIME LAB STAFFING

Many of the nation’s state and local crime laboratories are facing significant challenges in hiring and retaining staff. Some forensic scientists leave to pursue careers at federal laboratories, in the private sector, or at other state and local labs that pay more. Just one example: In 2008, the Georgia Bureau of Investigation (GBI) lost 10 of their 22 trained professionals (four lab technicians and six DNA analysts); in 2009, GBI lost seven of their 23 trained professionals (five DNA analysts, one Combined DNA Index System (CODIS) administrator and one lab tech).

The challenge of ensuring a sufficient, well-trained staff in the crime lab also extends to funding sources. Continuing with GBI as an example, officials noted that 17 of the 32 employees at headquarters are paid from federal grants administered by the National Institute of Justice (NIJ). Although federal grants are extremely useful, state and local officials point out that funding analyst positions from nonguaranteed grants makes it difficult to plan for the future.

In a 2007 NIJ-funded survey of 148 public labs, nearly 90 percent said that they would not have sufficient funding to continue operations without federal grants and were falling behind in casework and not keeping up with new technologies. These findings emphasize the importance for state and local jurisdictions to engage in fiscal planning that allows them to sustain strong crime lab operations. (The full report, *2007 DNA Evidence and Offender Analysis Measurement: DNA Backlogs, Capacity and Funding*, by Lisa Hurst and Kevin Lothridge, is available at <http://www.ncjrs.gov/pdffiles1/nij/grants/230328.pdf>.)

*Although federal grants are extremely useful, state and local officials point out that funding analyst positions from nonguaranteed grants makes it difficult to plan for the future.*

*Developing scientific evidence to determine which approaches are the most effective — solving the most crimes with the greatest efficiency, considering fiscal realities — will take time.*

### DETROIT: ONE JURISDICTION BEGINS

In Detroit, where 10,500 previously untested sexual assault kits (SAKs) were recently discovered in police storage, officials are performing a comprehensive audit of 400 randomly selected cases. Evidence in the 400 SAKs is being analyzed, including DNA testing; concurrently, the "400 Project" team — an independent investigator, an attorney and two victim advocates — are looking at the entire case, including a victim-centered, multidisciplinary follow-up investigation.

Based on the outcomes of these 400 cases, researchers at Michigan State University will perform a statistical analysis to help determine the characteristics of the remaining 10,100 cases. This is expected to give officials valuable data upon which to base policies regarding:

- Notification of victims.
- Prioritization of evidence for lab analysis.
- The level of resources to meet increased demands on law enforcement, who will have to investigate cases where a DNA profile is revealed (whether or not there is a Combined DNA Index System (CODIS) hit), and increased demands on prosecutors, who may need to file more cases.

Experts also point to another factor to keep in mind when a jurisdiction outsources lab testing. Last year, the U.S. Supreme Court upheld a ruling giving defendants a constitutional right to directly confront the analyst who performed tests on evidence used against them. This can be expensive for a jurisdiction that must pay for private lab scientists to go to court to testify.

Certainly, the various approaches now being used to tackle the untested SAKs problem will yield important knowledge. However, developing scientific evidence to determine which approaches are the most effective — solving the most crimes

with the greatest efficiency, considering current fiscal realities — will take time.

### The evidence itself

Experts say that everyone — victims, police, politicians, forensic scientists, criminologists — must keep two crucial factors in mind when making smart SAK-testing decisions: the quality of the evidence and the facts of the alleged sexual assault. It is estimated that, on average, 50–60 percent of SAKs test positive for biological material that does not belong to the victim; that percentage is much lower in some parts of the country.

To shed more light on this issue, NIJ is currently funding researchers at California State University, Los Angeles, to study a random sample of the recently discovered cases in Los Angeles. The researchers are looking at specific case "outcomes," such as the percentage of SAKs that yielded a DNA profile and the percentage that were uploaded to CODIS and resulted in a "hit" to other crimes or offenders. (See sidebar, p. 7, "Los Angeles' Sexual Assault Kit Research Study.") Results of the study are expected in 2011.

NIJ is also funding an action research project to help jurisdictions tackle the problem of untested sexual assault kits that have been discovered in police evidence rooms; based on this research, the Institute expects to help develop protocols to prevent this from happening in the future. (See sidebar, p. 8, "NIJ's Action Research Project to Address Untested SAK Evidence.")

Technological advancements in DNA analysis are also likely to play a major role in testing older SAKs. For example, the Georgia Bureau of Investigation (GBI) crime lab first tests evidence to determine if male DNA is present; rather than spending several hours looking at slides, trying

## LOS ANGELES' SEXUAL ASSAULT KIT RESEARCH STUDY

After the Los Angeles police and sheriff's departments began testing a large number of previously unanalyzed sexual assault kits (SAKs), the National Institute of Justice (NIJ) funded researchers at California State University, Los Angeles, to randomly select 20 percent of the cases for further study.

The goal of the study is to provide information that will not only help jurisdictions efficiently test (or decide not to test) large numbers of unanalyzed SAKs but may also help prevent this situation from occurring again.

Among the questions being addressed:

- What kind of evidence do the SAKs contain?
- What kind of results are obtained from testing? For example, is semen identified? How many cases yield a DNA profile?
- How many profiles are uploaded to the Combined DNA Index System (CODIS), and what matches link these older, recently discovered sexual assault cases with other crimes or offenders?

The researchers are also looking at police criteria for sending a SAK to the lab for analysis. It is also hoped that the study (findings expected in 2011) will help decision-makers throughout the criminal justice system to craft procedures and protocols for investigating and solving sexual assaults in the future.

to identify sperm, GBI analysts now use a DNA test that looks for male DNA found on the Y chromosome, using robots to test many cases at the same time. If no DNA is detected, it is not necessary to proceed with full analysis to try to develop a DNA profile.

In Los Angeles, the police and sheriff's departments are currently engaged in a

project called "Fast Track Forensics." In this pilot study, sexual assault cases with unknown offenders are processed as usual, while a few swabs are taken from the SAK and sent directly to the state Department of Justice laboratory for immediate analysis. Results are turned around in three days and uploaded into CODIS to search for a DNA match. To date, there have been a number of "hits," with particularly good results from saliva testing.

## Stranger rape versus acquaintance rape

When it comes to tackling the multidimensional problem of unanalyzed SAKs, victim advocates point to the proverbial elephant in the room: stranger rape versus so-called acquaintance rape.

Although few would dispute the existence of a bias in the criminal justice system — a higher priority placed on arresting a stranger who attacks an unknown victim than on a college student who rapes an intoxicated date — this distinction is disturbing to some victim advocates, who argue that every rape is a stranger rape: to a victim, some say, an acquaintance *becomes* a "stranger" when he rapes her. Many victim advocates also maintain that not aggressively pursuing acquaintance rape may mean that other sexual assaults are not prevented — that same college student, they say, may continue assaulting women.

As our nation focuses on the SAK backlog issue, we would be naïve to ignore other potential biases. Over the years, biases may have affected the decision to not send sexual assault evidence to the lab if, for example, the victim was a prostituted woman, a drug abuser or mentally ill. Therefore, some argue, testing all SAKs would reveal potential connections between stranger rapes and acquaintance rapes and would go a long way toward

*Over the years, biases may have affected the decision to not send sexual assault evidence to the lab if, for example, the victim was a prostituted woman, a drug abuser or mentally ill.*

## NIJ'S ACTION RESEARCH PROJECT TO ADDRESS UNTESTED SAK EVIDENCE

On October 27, 2010, the National Institute of Justice (NIJ) issued a request for proposals to identify solutions to the nationwide problem of untested evidence in sexual assault cases. This solicitation seeks to better understand why so many sexual assault kits (SAKs) are not forwarded from police evidence rooms to crime labs for DNA testing and to develop innovative approaches to solve the problem. (See the White House announcement on a nationwide violence against women initiative at <http://www.whitehouse.gov/blog/2010/10/05/ending-violence-against-women>.)

This spring, NIJ funded two jurisdictions — Wayne County, Mich., and the city of Houston — to explore the problem and come up with solutions. In phase I of these “action research” projects, each site will form a team to include a criminal justice researcher and representatives from the police department, crime lab, prosecutor’s office and a community-based victim services organization. The teams will first review and inventory cases in their jurisdiction

to determine why the SAKs were not sent to the lab; they will then develop a plan to tackle the problem and evaluate the intervention strategies that were put in place. In phase II of the project, NIJ will award funds to help the sites implement their plans.

To see the solicitation (applications were due January 18, 2011), go to <http://www.ncjrs.gov/pdffiles1/nij/s1000947.pdf>. Follow this research project through NIJ’s website, <http://www.nij.gov/topics/forensics/welcome.htm>.

Shortly after the solicitation was released, NIJ participated in a webinar, hosted by the Harvard University Kennedy School of Government. The two-hour discussion addressed various aspects of the solicitation, including the action research model through which NIJ hopes to develop innovative practices that other jurisdictions will also be able to use. Listen to the November 17, 2010, webinar for free at <http://www.innovations.harvard.edu/xchat-transcript.html?chid=353>.

eliminating victim bias. Advocates of testing of all SAK cases also point out that uploading all profiles into CODIS may link crimes that otherwise would not have been linked. (See sidebar, p. 10, “One Woman’s Story.”)

Finally, it is important to note that increased training and education may help officials and victims in cultures, including some American Indian tribes, where there are cultural taboos concerning a sexual assault examination.

## Victim notification

Whether a jurisdiction facing a SAK backlog decides to test all cases or, as in Detroit, begins with a small number, notifying the victims is a crucial part of the process. However, determining best practices for doing this — let alone putting the right mechanisms in place — will not be easy.

When, for example, should the victim be notified? When her unanalyzed SAK has been located after many years? When the kit is sent to the lab for analysis? When analysis reveals that there is no probative evidence — or only when a DNA profile is determined?

What will the victim notification protocol be if the suspect is not in CODIS and a “John Doe” warrant is issued — or if the rapist’s identity is revealed through a CODIS hit and it appears that he raped other women before or after raping her?

And how should victims be contacted — via letter, phone call, in person?

At first blush, it may seem that there is no question that sexual assault victims should be notified at some point in the process. After all, why would a victim *not* want to know if DNA analysis of evidence from a rape when she was an 18-year-old college freshman had — 20 years later — revealed the rapist’s identity?

Experts say there could be as many answers to that question as there are victims. For example, what if the victim, now 38 years old, never told her husband or 15-year-old daughter about the rape? What if she has had years of counseling and moved on? Beyond simply being notified at one step or another in the criminal justice process, does the victim get a say — or not — in whether her case moves from the police evidence room to the lab, from the prosecutor’s office to the courtroom?

Not all victims want to enter the criminal justice process. For some, the primary concern after being raped is medical care: testing for HIV, STDs and pregnancy, or receiving mental health care. Victim advocates estimate that perhaps half of the victims of a long-ago rape would want to be told that evidence had been found in their case; they would want to be told the results of DNA analysis and be a part of any prosecution. The other half, they say, would just want to continue on with their lives.

Beyond determining the best way to contact victims, the logistics of simply *finding* many of them is not likely to be easy. Many victims of sexual violence try to

distance themselves from the crime, including moving away from where the assault happened.

Current victim notification practices vary among jurisdictions that are dealing with large numbers of unanalyzed SAKs. In one city, an official-looking letter is sent, asking the victim to call regarding an unspecified matter. In Detroit, a team of four people (including a victim advocate and a former Detroit homicide detective) has begun in-person notification of the 400 victims in the cases where the SAKs are being tested. In Dallas, authorities initially placed a public service announcement in the newspaper and on TV in an effort to reach some of the victims. Although the notice ran for just one day, authorities say the response was good. At this point, however, Dallas officials have decided to minimize contact with victims unless they identify a suspect.

Victim safety is a major concern during notification. Victim advocates warn that a victim of a long-ago rape could be currently living in a domestic violence situation and that contact by the police could act as a trigger for violence by her current partner. They also note that a victim who is suddenly told that the unsolved crime may now be investigated, including DNA analysis of the SAK, may suddenly feel in greater danger from the person who raped her.

There is also the issue of counseling. Some people experience a host of problems after being sexually assaulted. Officials also should be aware that some of the victims among the thousands of recently discovered SAKs may be drug addicts, prostituted women, mentally ill or homeless. What counseling will they need?

Clearly, with sufficient will and resources, we can decrease the backlog of SAKs and even identify suspects, but as we think about the best way to do this, it is crucial to consider how to support the victims.

*Victim advocates estimate that perhaps half of the victims of a long-ago rape would want to be told that evidence had been found in their case . . . . The other half, they say, would just want to continue on with their lives.*

*There are real people behind every one of the sexual assault kits that remain untested. It will be difficult for each one, regardless if they welcome a renewed investigation or have tried to forget and move on in their lives, perhaps never telling their family of the assault.*

## ONE WOMAN'S STORY

BY KELLIE GREENE

On January 18, 1994, my life changed forever. I was 28 years old when I returned to my Orlando, Fla., apartment and was attacked by a man hiding in my kitchen. He hit me over the head with my tea kettle — then beat and raped me for 45 minutes.

After the stranger fled, I immediately called 911. I was treated at the hospital, where doctors used seven staples to close the wound in my head. Although police found semen on my leggings, Florida, at that time, was only doing DNA testing in cases where a suspect was already identified. Therefore, evidence in my case was put on a shelf, where it became part of the “backlog.”

I tried to move on, but I was haunted by the attack. I spent the next years studying every face in the grocery store, at work, even when I was driving down the road. Every few months, the detective and I talked to see if anything had been missed that might identify a suspect so that my evidence could be sent to the crime lab.

Eventually, evidence in my case was sent to the crime lab because police believed there were similarities with another rape. Although testing revealed that the rapist in that case was not the man who raped me, at least the DNA profile was now in the state database.

One day — three years after I was raped — the detective called to tell me that DNA testing of semen on my leggings had identified the man who raped me. It was the first time in three years that I felt safe. But my relief turned to anger when I was told that the man — David Shaw, a man with a history of burglary and theft — had raped another woman in December, six weeks before he raped me. Shaw was arrested for that earlier rape, but, sadly, the evidence in that case was not tested for two years. If it had been tested, this man would have been identified and caught and I would not have been raped and beaten.

Three days before the trial in my case, Shaw pled guilty and was sentenced to 22 years. However,

he was already serving a 25-year sentence for the first rape — and it wasn't for another three years that I would learn that he was allowed to serve the two sentences concurrently. He would spend no extra time in prison for beating and raping me.

In 1999, I founded SOAR®, Speaking Out About Rape, Inc®. Through SOAR, I work on behalf of rape survivors. I have worked with one woman, for example, who was raped when she was 18 years old. Twenty years later, she was notified by police that the rapist had been identified. By that time, she was 38, married, and had a 15-year-old daughter. She had never told her family that she was raped 20 years earlier. Now, she had to.

I have worked with a woman in Texas whose rapist was identified through DNA only after the statute of limitations had expired in her case. Her only option now — the only way she can help keep her rapist off the street — is to testify at his annual parole hearing, which means that, every year, she must re-live the rape.

There are real people behind every one of the sexual assault kits that remain untested. It will be difficult for each one, regardless if they welcome a renewed investigation or have tried to forget and move on in their lives, perhaps never telling their family of the assault. As we move forward in solving the problem of untested evidence in sexual assault cases, I believe it is crucial that our criminal justice system be mindful of the unique issues these survivors will face.

**About the author:** Kellie Greene is the founder of SOAR®, Speaking Out About Rape, Inc.®, <http://www.soar99.org>. In 2000, she lobbied for and helped write a law that bans concurrent sentencing of sex offenders and murderers in Florida. Greene was a member of the task force that the National Institute of Justice brought together in 2010 to talk about the issue of untested evidence in sexual assault cases.

And, say the experts, one of the challenges will be to understand that every rape victim may, after so many years, have her or his own idea of what “justice” looks like.

## Posttesting: The domino effect

Beyond the notification of victims and decisions regarding the forensic testing of recently discovered SAKs, there are major implications for “downstream” partners in the criminal justice system. (See sidebar, p. 12, “Stakeholders Identify Priorities.”) Where, for example, will the resources and protocols come from, as already strapped police departments face demands for follow-up investigations? If an investigation results in the identification of a suspect, how will already overworked prosecutors and public defenders handle additional cases?

Police investigations in older cold cases require a significant commitment of time, training and talent. If a DNA profile is developed from testing evidence in a SAK, previous investigative leads and past interviews will have to be re-examined, and all this work will have to be prioritized alongside current criminal investigations. What investigative protocols will a jurisdiction use, for example, when a DNA profile is developed from testing but does not match a profile in CODIS or a local database? Will a John Doe warrant be issued?

Police agencies also must have a plan when a DNA profile from an older SAK does have a CODIS hit. What priorities and protocols will govern the often time-consuming effort of tracking down the suspect and gathering a DNA confirmation sample? Can the victim be located and is she available for prosecution? It also should be noted that, in some jurisdictions, a request to send a SAK to the lab for DNA

analysis is not approved until a sample from any potential consensual partner is obtained for “elimination” purposes; might this protocol have to be revisited if a jurisdiction faces a large backlog of older SAKs?

The good news is that there are working models. The Phoenix Police Department, for example, has developed an internal database, called the Post Match Prioritization Model, for all of its sexual assault cases. If analysis of a SAK results in a CODIS hit, investigative priority is on suspects who are in prison but scheduled to be released soon. The second priority level is cases with a high likelihood of successful prosecution. Cases with suspects who are already in custody for 10 or more years receive the lowest priority for follow-up investigation after a CODIS hit.

Another example of a protocol that seems to be working: New York City’s Office of the Chief Medical Examiner sends e-mails to district attorneys, DNA examiners and police when there is a CODIS hit based on the analysis of a SAK. This centralized system has helped detectives prioritize follow-up investigations.

As jurisdictions grapple with these issues, it is important to consider the best way to communicate with the victim at the various stages in the process. Advocates point out that a sexual assault survivor who is told her SAK has been recently discovered and will now be analyzed is likely to start wondering about the next steps: Will a confirmation sample be collected, for example, and when will additional investigative interviews be conducted? Certainly, the impact on the victim must be considered, if evidence in her rape yields a DNA profile or a CODIS hit, but the police department is experiencing resources issues that would delay or prevent further investigation and possible prosecution.

*Where will the resources and protocols come from, as already strapped police departments face demands for follow-up investigations?*

## STAKEHOLDERS IDENTIFY PRIORITIES

In May 2010, the U.S. Department of Justice brought sexual assault nurse examiners, crime laboratory directors, cold case detectives, prosecutors and victim advocates to Washington, D.C., to discuss the challenges surrounding untested evidence in sexual assault kits (SAKs). A full report of the meeting is available at <http://www.ovw.usdoj.gov/docs/rape-kit-roundtable-summary-10262010.pdf>.

Here are some of the priorities identified by the attendees:

### Victim Advocates

- Increase the understanding of victim notification issues.
- Strive to eliminate bias in the criminal justice system against certain victims and types of sexual assault.
- Focus on long-term counseling and support to help victims return to normal life, including exploring innovative approaches outside the criminal justice system.
- Consider changes to laws related both to victim compensation and to reimbursement for the cost of sexual assault kits.

### Law Enforcement

- Create evidence-based practices for investigating sexual assault cases, including prioritizing before and after a CODIS hit.
- Develop information technology support for evidence and case tracking.
- Improve training regarding the collection of evidence, what prosecutors need to build a case, prioritizing SAKs for lab analysis and assembling a case book.
- Develop protocols for notifying victims that their SAK is going to be tested and that the investigation of their case may be renewed.

- Reconsider funding streams in which law enforcement has to pay for lab analyses.

### Crime Laboratories

- Create a plan to handle work if large numbers of previously untested SAKs are suddenly sent to the crime lab.
- Address staff hiring and retention issues.
- Increase implementation of high-throughput analysis procedures.
- Perform research to make DNA analysis faster, better and cheaper, and improve storage capacity for SAKs.

### Sexual Assault Nurse Examiners

- Improve the integration of evidence collection into a broader continuum of medical care.
- Improve the quality review/peer review process of SAK collection.
- Update the curricula for Web-based and onsite training, and increase technical assistance.

### Prosecutors

- Implement meetings among prosecutors, lead investigators and lab scientists to improve decision making regarding evidence that does and does not need to be analyzed in the lab.
- Improve training on case management, handling cold cases, crime lab techniques and issues, and the use of forensic evidence at trial.
- Create information systems for case management that will automatically notify laboratories to stop working a case if there is a judicial determination (for example, a plea) or it is otherwise not moving forward.

## Statutes of limitations

Jurisdictions facing the discovery of older SAKs must consider what their testing policy will be if the statute of limitations (SOL) in a case has passed. The SOL for sexual assault depends on the type of assault and varies across jurisdictions. In Los Angeles, for example, there is a 10-year SOL on sexual assault, but a recent law tolls the SOL (stops the clock) if a DNA profile of a suspect is determined within two years of the assault.

In Dallas, where they recently discovered evidence in thousands of alleged sexual assaults as far back as the 1980s, the SOL situation is complicated. During the 1980s and 1990s, the SOL for sexual assault cases was 5 years. In 2001, however, the law was changed: Now, there is no SOL in sexual assault cases if suspect DNA is present; if there is no DNA evidence, the SOL is 10 years. Although the statutory change allows Dallas officials to go back to September 1, 1996, without running into SOL problems, most of the recently discovered evidence in that jurisdiction is in sexual assaults that occurred before 1996.

If a case cannot be prosecuted because the deadline for filing has passed, is it a wise use of resources to have the SAK evidence tested? The answer is not as obvious as it may seem.

Some proponents of testing all SAKs argue that, even if a case cannot be prosecuted — or the victim does not want to move forward — the evidence should nonetheless be tested to determine if the rapist might have committed other rapes. Evidence of prior, unadjudicated sexual assaults may also be considered in the sentencing of a rapist.

Some argue that cases should be pursued, even if the SOL has passed, as a way to provide some resolution to the victims. It

goes without saying that decisions in these various scenarios will likely be influenced by resources.

## State legislatures respond

As we struggle as a nation to deal with the ramifications of the discovery of thousands of unanalyzed SAKs, some states are responding legislatively. Texas, for example, recently passed a law creating a new database — accessible only to local law enforcement — that contains the DNA profiles of alleged rapists. If DNA testing reveals a profile, it goes into the database, even if the case is not filed and prosecuted.

How might such data be used? Information regarding an unadjudicated past rape can be used in the parole hearing of a convicted offender, for example. Prosecutors also note that evidence of past criminal behavior — even criminal behavior that was unadjudicated, if the court deems it is directly relevant to the case at hand — can be used under Federal Rule of Evidence 404(b).

Often simply referred to as “404(b),” this rule allows evidence regarding a defendant’s character or prior criminal conduct into a trial under certain circumstances. Some proponents of analyzing all older SAKs argue that, even when the statute of limitations has passed, it could be important to have 404(b) evidence of a past rape if the person is on trial for another rape. Prosecutors point out that, especially in cases of so-called acquaintance rape, the ability to present 404(b) evidence can effectively turn a “he-said, she-said” case into a case of “he-said, she-said, she-said.”

Illinois recently passed a new law that requires the SAK in every alleged sexual assault to be sent to the lab for analysis. Before this law went into effect, the state police crime lab received approximately

*Some proponents of analyzing all older SAKs argue that, even when the statute of limitations has passed, it could be important to have “404(b) evidence” of a past rape if the person is on trial for another rape.*

*Delays in evidence being sent to a lab — as well as delays in analyzing evidence — result in delays in justice.*

1,500 SAKs for analysis every year. Add to that the SAKs that were never sent to the lab — an informal survey found 4,000 unanalyzed SAKs in only 82 of the state's 1,200 law enforcement agencies as of May 2010 — and the current (and future) backlog of SAKs in the Illinois State Police crime lab begins to look daunting.

For more on DNA backlogs nationwide, see the NIJ special report, *Making Sense of DNA Backlogs, 2010: Myths vs. Reality*, available at <http://www.ncjrs.gov/pdffiles1/nij/232197.pdf>.

### **The road ahead**

Ultimately, at the heart of this latest challenge for our criminal justice system are

the victims. Delays in evidence being sent to a lab — as well as delays in analyzing evidence — result in delays in justice. In worst-case scenarios, this can lead to additional victimization by serial offenders or the incarceration of people wrongly convicted of a crime. (See <http://www.nij.gov/journals/262/postconviction.htm> for the story, in the *NIJ Journal*, of one recently exonerated man.)

As the nation grapples with the discovery of thousands of older sexual assault kits, it is crucial that we balance justice, public safety and the victims' needs. The goal, of course, is to move beyond the "crisis management" of the moment to the adoption of systematic practices, procedures and protocols that will prevent this situation from ever happening again.

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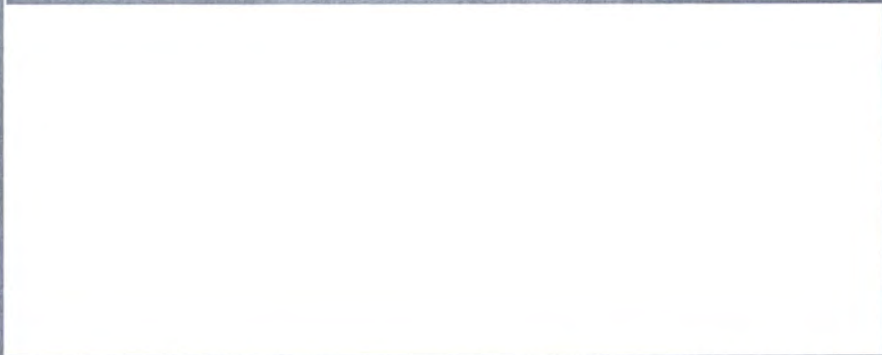
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“WORK WITH SOMEONE WHO ISN'T A CFP PRO?”

# Rapists Go Free While Rape Kits Go Untested

By David A. Graham

For years, rape kits piled up in Houston. Thousands and thousands of swaps, running back almost 30 years, sat untested. Victims heard nothing. Perpetrators went on with their lives and, in some cases, committed further crimes. Eventually, there were nearly 6,700 kits waiting to be processed.

Then, in 2013, Mayor Annise Parker launched a push to test the kits. The results are stunning: Tests turned up 850 matches in the FBI's national DNA database. Prosecutors have charged 29 people and obtained six convictions so far. Of course, the delay was costly: As the Harris County prosecutor noted, suspects in some cases committed other crimes, even as the untested kits that could have convicted them sat untested—including at least six further rapes. (Given a national backlog of rape kits, there might be even more.)

Houston's test result is good news, and it's the latest in a slow revolution in how authorities are handling rape kits. In 2014, Memphis, Tennessee, began moving to process a 12,000-kit backlog. An especially egregious case was Detroit, which discovered some 11,000 kits in an abandoned police facility in 2009 but has since begun an ambitious effort to solve the problem. While testing on those kits has proceeded slowly, it has already identified 100 serial rapists, according to prosecutors. In 2014, Michigan Governor Rick Snyder signed a law establishment timelines for rape-kit testing. Cleveland has sent 4,700 kits for testing. Las Vegas has 4,000. There's no definitive number, but estimates of the number of untested kits, nationwide, range from at least 100,000 to 400,000. Manhattan had a 17,000-kit backlog that it began clearing in 2000, yielding dozens of convictions as well as connections to other assaults in New York's other boroughs.

The problem, say advocates, is not just for the women and men who have been attacked and whose cases haven't been resolved. There's evidence of substantial rates of serial rape and of general serial criminality among rapists. When kits are not tested promptly, perpetrators are left at large to commit additional rapes that might have been prevented.

Investigators have often been reluctant to test in cases in which suspects are known to their accusers, choosing instead to test only kits from rapes perpetrated by strangers, said Linda Fairstein, a former New York sex-crimes prosecutor who's now on the board of the Joyful Heart Foundation, a nonprofit

that works toward rape-kit reform. Investigators might not bother testing a kit in a domestic violence case, for example. Testing when DNA evidence wasn't necessary to secure a conviction seemed like a waste of time and money, and the public got most panicked about rapes by strangers.

But that's only a superficial tradeoff, Fairstein said, since someone who raped an acquaintance may well have other victims. Moving faster to test kits can actually be an effective way of preventing crime both in the city that holds them—as Houston's experience demonstrates—and to protect other jurisdictions.

"By spending a significant amount of money, you are identifying the most violent offenders that we have and you're preventing more crimes from occurring," Fairstein said. "It's really rare that you're going to come up with the single-rapist event. You'll find many of these guys in prison, you'll find them across state lines."

One common complaint is that there simply isn't the money—\$500 to \$1,000 per kit—to process so many kits. That's particularly disheartening in light of the billions spent on criminal justice in the U.S. every year. But where federal and local money are failing, other sources are starting to deliver. In addition to groups like Joyful Heart, there are more and more sources of funding. Manhattan District Attorney Cy Vance Jr. announced a program in November to use money seized via asset forfeiture to create grants for other cities to clear their backlogs. President Obama's fiscal-year 2015 budget included \$41 million for a Justice Department program that helps cities clear their inventories.

All that's remaining, Fairstein argued, is for authorities to get serious about the issue.

"Stories like Houston and Detroit before it are breathtaking examples of how critical it is to get this work done," she said. "The money is basically there, and certainly the government can throw more money at it. The commitment to the issue of sexual violence in all its forms is what has been such a drag on getting this done."

This article available online at:

<http://www.theatlantic.com/national/archive/2015/02/rapists-go-free-while-rape-kits-go-untested/385943/>

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**The New York Times** <http://nyti.ms/1ojM6FJ>



U.S.

## No Longer Ignored, Evidence Solves Rape Cases Years Later

By ERIK ECKHOLM AUG. 2, 2014

MEMPHIS — Meaghan Ybos was 16 and had just arrived home from school when a man in a ski mask held a knife to her throat and raped her.

The man said he would kill her if she called the police, but she did so anyway. That led to barrages of skeptical questions, Ms. Ybos said, and the excruciating collection of evidence from her body, gathered into what is commonly known as a rape kit.

“I felt so vulnerable being laid out on a table, with all my clothes off and in a bag and all the swabs and brushes and combs,” she recalled. But at least, she figured, the police would use the swabs and hair samples to help catch the rapist.

They did not. Like hundreds of thousands of other rape kits across the country containing evidence gathered from victims, that of Ms. Ybos lay untested for years on a storeroom shelf.

The reasons for the backlog, experts say, include constraints on finances and testing facilities, along with a slow recognition among investigators that even when the offender is known, DNA testing might reveal a pattern of serial rapes. And too often, women’s advocates say, the kits went untested because of an uncaring and haphazard response to sexual assault charges.

In recent years, the issue has exploded as one city after another has discovered stockpiles of untested kits.

Today, after years of pressure, a shift is beginning. Several cities — including, most recently, Memphis — have won praise for aggressive new efforts not only to submit all new rape kits for testing but also to test those in storage. In just the last year, initial testing of old kits in Detroit and Cleveland has yielded hundreds of indictments and revealed scores of repeat offenders.

It was in 2012, nine years after her rape, that Ms. Ybos learned that her kit had gone untested. She had called the police to say an attacker described in news accounts resembled the man in her nightmares. At that point, the evidence gathered in 2003 was sent for analysis. Ms. Ybos, it showed, had been an early victim of a man who went on to assault at least six more women over the years and who is now serving a 178-year sentence.

"I felt like I finally got my life back," Ms. Ybos said of the moment she knew her attacker was behind bars.

It will be a while before many others can say the same, even in Memphis. More than 12,000 kits here have been tested incompletely or not at all. Mayor A C Wharton Jr. has vowed to proceed with a \$6.5 million plan to test the entire lot, appealing for state and private donations to help meet the cost and hoping that long-promised federal aid will soon appear.

The stacked-up kits are "more than pieces of evidence," Mr. Wharton told reporters; each one represents a victim hoping for justice. He formed a task force of police officials, prosecutors and community advocates that meets twice a month to oversee the process and make monthly public reports.

Over the last decade, reports of large rape-kit backlogs have surfaced, often after investigations by news reporters or advocacy groups. But because many cities have resisted looking too hard or have even destroyed untested kits over time, the extent of the problem is unknown, said Sarah Tofte, director of policy at the Joyful Heart Foundation, a New York group that aids victims of sexual assault and is now advising Detroit and Memphis.

"What we know about the extent of backlogs around the country is still less than what we don't know," said Ms. Tofte, saying it appears likely that hundreds of thousands of kits still lie on shelves untested. Some of the rape kits were collected in the 1980s, before DNA analysis was fully developed, to establish blood types, something of limited use in court. But in the 1990s and after — as the technology improved and the F.B.I. set up the Combined DNA Index System, or Codis, to allow matching — a large share of kits were still not processed.

The newly concerted testing programs, when combined with the investigative heft to turn cold cases into prosecutions, are producing results.

In Detroit in 2009, officials discovered more than 11,000 unprocessed rape kits, dating back to the 1980s, in a police warehouse. Kym L. Worthy, the Wayne County

prosecutor, has won praise for pursuing full testing. Analysis of the first 1,600 kits identified 455 suspects in 23 states, including 87 involved in multiple assaults, her office reported in March.

Cuyahoga County, which includes Cleveland, has sent its backlog of nearly 4,000 kits to the state laboratory for the free testing Ohio now offers. The county prosecutor, Timothy J. McGinty, formed a DNA cold-case task force to follow new leads.

Initial priority has been given to kits from crimes committed in 1993 and 1994, so indictments can be issued before the 20-year statute of limitations is exceeded. So far, 173 people have been indicted, including 38 accused of multiple rapes, according to Joseph Frolik, a spokesman for the Cuyahoga County prosecutor.

Officials expect to bring as many as 1,000 cases over the next few years, Mr. Frolik said.

Some officials question the value of analyzing all the neglected kits from the past, saying indiscriminate testing diverts funds and laboratory resources from the cases most likely to yield prosecutions. Salt Lake City has decided to take a more selective approach, but many advocates argue that it is worth the cost to possibly detect serial offenders.

DNA testing is only the start. Memphis has created a cold-case team of 10 officers and expects to add more as results from the new testing efforts arrive, said Jim Harvey, the deputy police chief in charge of detectives.

Another challenge being confronted in Memphis, Detroit and elsewhere is how best to contact victims of long-ago crimes when belated testing provides a lead and investigators may want to conduct new interviews or seek their testimony in court. Some women may have buried their memories of the crime, or never told a later spouse about it. Do you start with a letter or a home visit? From whom? Cities are experimenting and comparing protocols for this delicate task.

If the testing gaps are a sign of broader problems in the investigation of sexual assaults, as many critics say, then more wide-ranging changes in the culture of police departments must be nurtured as well.

In an interview at City Hall, Mayor Wharton of Memphis said he had asked for changes in police promotion and assignment guidelines "to make sure those moving into this field have a special passion."

“We’ll do whatever it takes to have a top-notch sex-crimes unit,” he said. “The police are taking reports more seriously, and there is no more saying, ‘Victim is a known prostitute,’ ” he added, referring to one notorious rationale for not pursuing rape cases.

Where the money will come from to wipe out the backlog remains murky, he admitted, but said, “We’ll get it done.”

Here and elsewhere, the new efforts, however welcome, cannot erase the sense of betrayal expressed by victims who assumed that evidence so painstakingly collected from their bodies would be fully analyzed.

In the case of Ms. Ybos, whether prompt testing would have made a difference is in dispute. City officials note that the DNA of the offender, Anthony Alliano, was not collected and recorded until his arrest in 2012.

But Ms. Ybos and two other women have sued the city and county, charging that lax investigations and reckless handling of rape kits left predators on the loose and inflicted wrenching uncertainty on victims. Officials said they could not comment on a pending lawsuit.

“We were left in the dark for a decade,” said a second woman in the suit, Madison Graves, who was just 12 when an intruder now known to be Mr. Alliano, again in a ski mask and wielding a knife, raped her in her home. It was in the same suburban area, Cordova, and only two days after the assault on Ms. Ybos. In the case of Ms. Graves, the police say they did test her rape kit at the time. But they did not inform her and, she said, at some early point told her to stop calling for updates.

Officials have not explained the inconsistent handling of the two similar attacks or why they failed to connect them, which might have led to a more focused search for a serial offender and a different response to a later case that, in retrospect, was a disastrous missed opportunity.

In 2004, according to police records described by The Memphis Commercial Appeal, officers were called to a Motel 6 where Mr. Alliano, then 33, had plied a 16-year-old girl with “date-rape” drugs and had sex with her.

The prosecutors considered a charge of forcible rape, records show, then charged him with felony statutory rape and then, for undisclosed reasons, dropped the charge. No sample was taken of his DNA, and he resumed his secret life as a predator.

A version of this article appears in print on August 3, 2014, on page A1 of the New York edition with the headline: No Longer Ignored, Evidence Solves Rape Cases Years Later.

# BUSINESS INSIDER

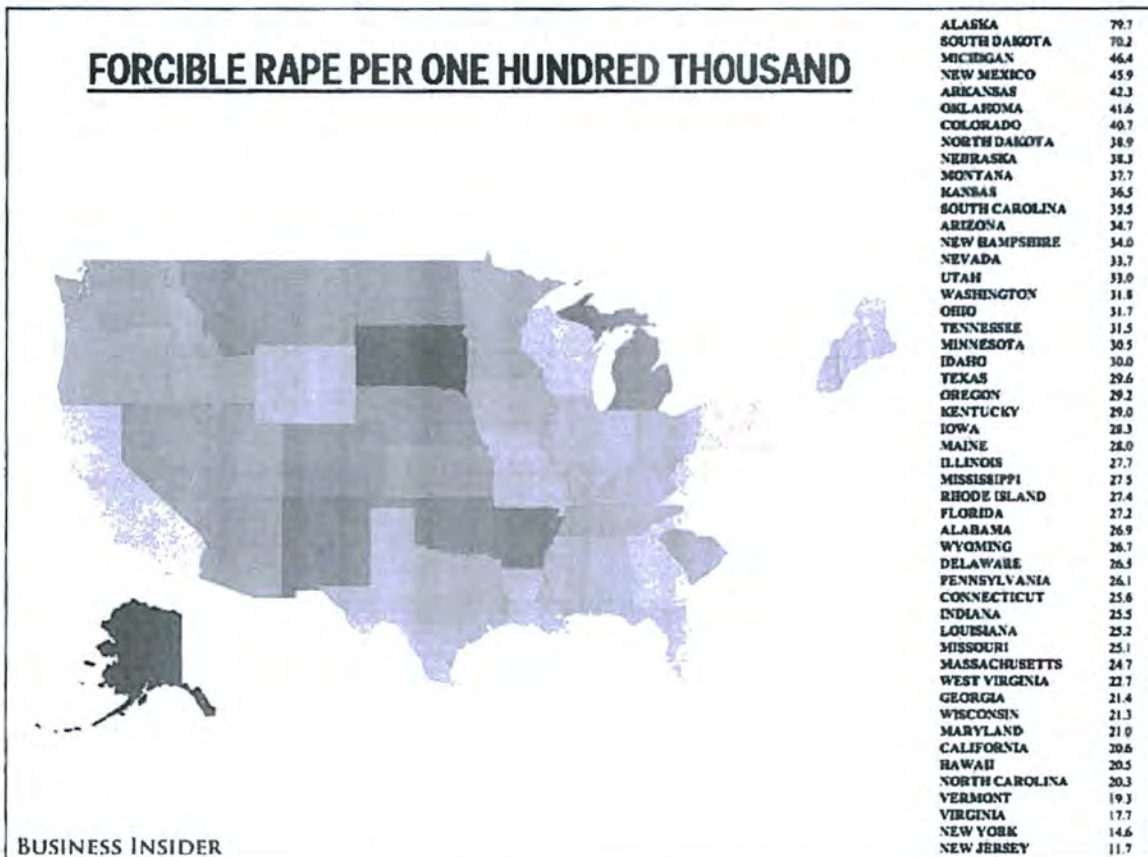
## Why Rape Is Much More Common In Alaska



**ERIN FUCHS**  
 SEP. 26, 2013, 6:44 PM

While researching a story on how Americans commit crime, we came across a disturbing fact. There's a significantly higher number of rape reports in Alaska than most other states.

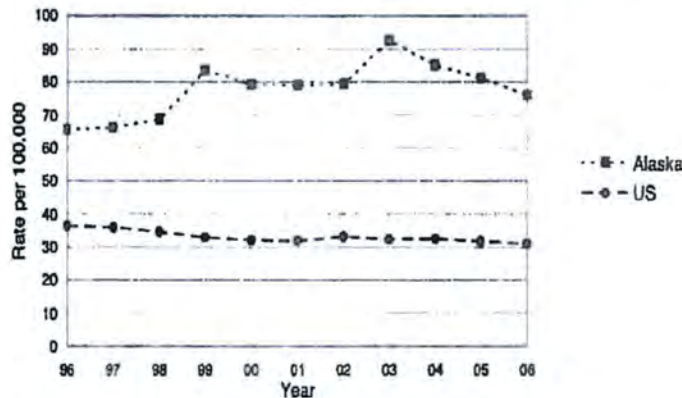
Alaska has nearly 80 rapes per 100,000 residents, and South Dakota is a close second at about 70 rape reports per 100,000, according to the FBI's 2012 crime report. The next-highest is Michigan with 46 per 100,000.



FBI Uniform Crime Report, 2012

Rape often goes unreported, so these statistics may be less reliable than other crime statistics. However, Alaska had a reputation for having a problem with rape before the FBI's recent crime report came out. In 2010 a poll of nearly 900 Alaskan women found that 37% had experienced sexual violence. This chart also shows how much Alaska has struggled with rape over the years.

Figure 1. Rates of Forcible Rape Reported to Law Enforcement, 1996-2005



Source of data: Uniform Crime Reports (1996-2005)

Alaska Sexual Assault Nurse Examiner

Study

How did Alaska get to be such a dangerous place for women?

Two possible causes are its high population of Native Americans — nearly 15% compared to the 1.2% national average — and its remoteness. South Dakota is also a rural state with a high Native American population of nearly 9%.

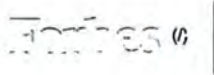
Native Alaskans make up 61% of rape victims in the state, and Native Americans make up 40% of sex assault victims in South Dakota, *The New York Times* has reported. One in three Native American women has said she's been raped in her lifetime, according to a frequently cited Justice Department report from 2000. Native women are 2.5 times more likely to be raped than women of other races, that report found.

Nobody knows for sure why Native American women are so vulnerable to rape. Some experts blame alcoholism and the breakdown of the Native American family, *The Times* has reported. In the past, Native American tribes have not been allowed to prosecute non-Native Americans for raping members of their tribes, which also could have compounded the problem. (Obama recently signed a law that gives tribes more power to protect Native women, though.)

In very rural areas, like Alaska, women simply can't rely on police to come help them if they're raped. One 19-year-old Native Alaska woman who lived in a village of 800 called the police after a stranger broke into her home and raped her in the middle of the night, *The Times* reported in 2012. The police didn't answer, so she left a message. They never returned her call.

One study found that just 11% of rapes reported to the Anchorage Police Department between 2000 and 2003 led to a conviction. This lack of culpability could be another reason for the prevalence of sexual assault in Alaska. As one blogger in the state wrote, "Why is Alaska the rape capital of the U.S.? Because we allow it."

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# The Most Dangerous U.S. Cities For Women

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Twenty-seven-year-old Army specialist Casey Bogenrief was set to deploy from Fort Wainright in Fairbanks (<http://www.forbes.com/places/ak/fairbanks/>), Alaska, in a few days when he met a young woman who invited him to her apartment to have a drink and sing karaoke. Shortly after arriving, the soldier is said to have become violent and demanded to have sex with the woman before slamming her head against a door and assaulting her.



While his attorney says that any sexual contact was consensual, Bogenrief stands trial this week



see photos

(<http://www.forbes.com/pictures/1m145ifem/americas-most-dangerous-cities-for-women/>)

Getty Images

Click for full photo gallery: The Most Dangerous U.S. Cities For Women (<http://www.forbes.com/pictures/1m145ifem/americas-most-dangerous-cities-for-women/>)

(<http://www.armytimes.com/news/2012/04/ap-army-wainwright-soldier-trial-rape-charge-042512/>) for rape, putting him among the hundreds of annual perpetrators of the crime in the city that's been called a hotbed for sexual violence. For a metro area that the FBI measures at just 38,307, an incredibly high rate of rape (more than double the national metropolitan average) lands Fairbanks among the top three most dangerous cities for women in the United States at 193 reported rapes per 100,000 residents.

To calculate cities where women are at risk for becoming victims of both violent crimes and sexual assault, we analyzed data from the [FBI Uniform Crime Report \(http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2010/crime-in-the-u.s.-2010/tables/table-6\)](http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2010/crime-in-the-u.s.-2010/tables/table-6), which tallies crime data for each of the country's metropolitan statistical areas, regions that usually consist of a large city and its suburbs or clusters of closely linked smaller cities, and metropolitan divisions, which are core areas within some of the larger MSAs.

We used the FBI's numbers for violent crimes including murder and non-negligent manslaughter, forcible rape, robbery and aggravated assault in addition to reported incidences of rape in each metro area. While the FBI warns that reporting can be troubling for ranking purposes (particularly as they only measure cases of "forcible rape" which discounts date-rape, statutory rape and other sexual assaults), and [RAINN \(http://www.rainn.org/\)](http://www.rainn.org/) stresses that reported cases of rape barely scratch the surface of the true magnitude of the crime, the numbers are clear in one thing: for women in Alaska and Michigan, the threat of sexual assault is clear and present.

Only four months into the calendar year there have been [274 rapes in Detroit, Mich.](#),



<http://www.myfoxdetroit.com/dpp/news/local/nearly-300-rapes-reported-to-detroit-police-so-far-this-year-20120425-ms>) in 2012 including four cases of serial rapists in the city. But surprisingly, the smaller city of [Saginaw \(http://www.forbes.com/places/mi/saginaw/\)](http://www.forbes.com/places/mi/saginaw/), some 90 miles from the auto manufacturing capitol suffers even higher incidences of the crime at 76 rapes for every 100,000 people in the metro area that the FBI measures at 197,310. Added to a troublingly high rate of nonsexual violent crimes (870 per 100,000), that number makes Saginaw, Mich., the country's most dangerous city for women.

#### **In Pictures: The 10 Most Dangerous Cities For Women**

[http://galleries.forbes.com/gallery/The\\_Most\\_Dangerous\\_U.S.\\_Cities\\_For\\_Women](http://galleries.forbes.com/gallery/The_Most_Dangerous_U.S._Cities_For_Women))

Meanwhile, according to a 2011 survey, more than 37% of Alaskan women report that they've suffered some form of sexual assault in their lives. And Fairbanks isn't the only Alaskan city to top our ranking. [Anchorage \(http://www.forbes.com/places/ak/anchorage/\)](http://www.forbes.com/places/ak/anchorage/) suffers the highest violent crime rate in the state, (812 reported for every 100,000 residents) in addition to a staggeringly high incidence of rape. According to numbers from the FBI Uniform Crime Report, more than 85 rapes are committed annually per 100,000 citizens, which makes Anchorage No. 2 on our list.

Scott Berkowitz, the president of [RAINN \(the Rape, Abuse and Incest National Network \(http://www.rainn.org/\)\)](http://www.rainn.org/) says that while data on reported incidences of rape is often unreliable, researchers and advocates have historically seen

higher rates of sexual violence in native communities. In Alaska, where nearly 5% of the population is American Indian or Alaskan Indian, Berkowitz says this could be a key factor. Research points to as many as one in three Indian women (<http://www.docip.org/Permanent%20Forum/pfo7/PFO7charon172.pdf>) will be raped or sexually assaulted in her lifetime—a rate 3.5 times higher than any other racial groups.

The fourth most dangerous city as ranked by our list is Springfield (<http://www.forbes.com/places/mo/springfield/>), Ill., a metro area of 200,000 four hours south of Chicago (<http://www.forbes.com/places/il/chicago/>) where the FBI reports 855 violent crimes and 70 rapes each year per 100,000 citizens. Despite its dangerous ranking, the state of Illinois has made great strides to respond to violent crimes against women; Illinois currently has more than 33 24-hour rape crisis centers and in 1992 was one of the first states to include rights for victims of violent crime in its state constitution.

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At No. 5 on the 2012 list of the most dangerous cities for women is Redding, California, where there were 797 incidences of violent crime and 65 rapes for every 100,000 citizens. For a metro area whose population is just over that number at 182,000, a total of 120 rapes occurred over 12 months. Redding, a Northern California city located in Shasta County, is also becoming proactive about rape prevention. At a recent Sexual Assault Awareness Month event, (<http://www.krertv.com/news/30828355/detail.html>) spokeswoman Jean King of the Shasta women's Refuge noted that the county suffers twice as many sexual assaults as the rest of the state of California. "We don't want to have that in our community," she said before continuing that by making the issue a local one she hopes to see a decline.

Flint, Michigan, has also seen rape numbers on the rise, and falls at No. 6 on our list of dangerous cities. Kim Hurst (<http://endthebacklog.org/blog/?p=285>) with the Wayne County Sexual Assault Forensic Examiners Program, known as SAFE, told local authorities that her Detroit branch has seen 60 girls in April alone and that her metro numbers are in the hundreds. More foreboding: all the attacks are becoming more violent. "I have to say we do recently seem to have seen potentially more physical injury with our victims that are coming in," she says. (<http://www.myfoxdetroit.com/dpp/news/local/nearly-300-rapes-reported-to-detroit-police-so-far-this-year-20120425-ms>)



*\*Readers in the comments section have pointed out that populations for Saginaw County, MI, and Fairbanks, AK., are off. Upon further research, the numbers provided in the FBI Uniform Crime Report are not identical to U.S. Census counts. Please note that population numbers are reflective of the FBI count and NOT official Census data.*

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All photos by Sara Bernard

# Rape Culture in the Alaskan Wilderness

In the tight-knit communities of the far north, there are no roads, no police officers—and higher rates of sexual assault than anywhere else in the United States.

By Sara Bernard

SEPTEMBER 11, 2014

631 Comments

One night a few years ago, when Jane was 13, a man she'd grown up with stumbled into the room she shared with her two sisters in Tanana, Alaska, a tiny village northwest of Fairbanks, and climbed on top of her. He was drunk and aggressive.

“He tried getting into my clothes,” recalls Jane (whose name has been changed for this story). “He tried putting his hands under my shorts and inside my shirt.” She struggled and pushed, but he was years her senior and made of muscle; he pulled her on top of him. She kept pushing and yanking until she suddenly shot backwards and tumbled off the bed. “He was so blacked out, he was like still asleep; his eyes were closed,” she says. “I was watching his face, but his face didn’t move at all. His breathing was normal, but his hands...” She pauses, and the word hangs thickly in the air. “His hands felt like he was *awake*.”

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Afterward, she ran into the living room and burst into tears, stuffing her face into a pillow so her parents wouldn’t hear. She didn’t tell them, then; she was scared and ashamed. “I guess I just felt like I was dirty. I guess that’s what victims feel like. They feel dirty and just want to clean everything off.”

The following summer, Jane was fast asleep at her family’s fish camp downriver, while a group of adults drank and caroused in the next room. She awoke to someone tugging down her pants, reaching between her legs; she struggled and kicked, and he lumbered out of the room.

In fact, Jane says, she’s been grabbed, chased, followed, and molested so much in her short life that she’s now made it a habit to lock the bedroom door at night and shove a chair under the knob so no one can come in;

she'll wait up, trembling, until everyone at a party is passed out cold before she can comfortably fall asleep. She's learned to avoid being alone with friends' dads, or with grandpas at village potlatches, or with boys at basketball games, who've repeatedly groped her breasts and buttocks. "It's just random, like, you'll think everything's all normal and then you'll feel something on your backside," she says. "You just freeze."

Jane is a tall basketball player with bright eyes, rectangular black-framed glasses, and a wide, eager smile. She has no trouble listing accomplishments and affinities: She's ambidextrous by choice, grew up doing all the rugged outdoor chores men do, raves gleefully over beloved local foods like fried moose heart and walrus in seal oil.

But for years, she felt scared, hypersensitive, and depressed. She never told her parents about the incident; she was too afraid of what would happen, and anyway, when she told one of her sisters, the only response she received was a dry laugh. "It happened to all of us," her sister had said. "Just leave it alone."

Growing up in Tanana, a town of 254, the prevalence of this kind of thing was common knowledge, but rarely discussed. Everyone knew the local elder who'd molested and raped his daughters and granddaughters for decades until he was arrested for touching another family's girls; after four years in jail and another half dozen or so at a cabin downriver, he was back on the village tribal council. One of Jane's great aunts was molested and raped by an uncle for years; dozens of years later, the aunt's grown daughter told her that the same uncle had molested her, too. Sometimes people pressed charges; most of the time, though, nothing happened. "These perverts travel from village to village, from potlatches to dances," Jane says. "And then they get drunk and you don't know what they're going to do."

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**“I was watching his face, but his face didn’t move at all. His breathing was normal, but his hands...”**

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Then, last year, Jane joined the Tanana 4-H club, a newly minted outlet for local youth of all ages to gather and play games and craft things like blueberry jam and beaver hats. It’s run by Cynthia Erickson, owner of Tanana’s general store and native of Ruby, a village 100 miles downriver. Erickson says she started the program because of suicide: Three years ago, there were six in Tanana. At first, she just wanted to give Tanana’s kids a place to do things with their hands, to go on field trips, to feel supported. But what began as a diversion quickly became a safe place for kids to share all kinds of traumas they were witnessing and experiencing: sexual and domestic violence, alcohol and drug abuse, death after brutal death. The discussions they’d have were rarely prearranged, Erickson says. Instead, the kids would launch the conversation by saying, “Did you hear what happened?”

Last fall, the group was asked to give a presentation at a statewide conference held by the First Alaskans Institute in Fairbanks. Instead of explaining how they’d come up with their anti-suicide pledge, the kids decided to share the reasons they’d needed one in the first place.

Jane spoke about her own abuse and described in detail what has been horrifyingly typical for the people around her: A local woman who was gang raped until she could “barely walk.” A young boy who was sexually assaulted by an older man and later killed himself. Tribal elders who commanded respect, but whose behavior didn’t. “I’m still young and I’m already sick of it,” she said. “It’s happening in his house, in her house, even in your own bed.”

The presentation was met with a standing ovation, and it took the kids nearly two hours to make it from the stage to the back of the conference center, thanks to all the members of the audience who stopped to hug them, weep, pile up cash donations on a scarf on the stage, and tell them how proud they were. In some cases, audience members felt inspired to come out about their own abuse. One grandmother told Erickson she'd been raped and abused for so many years, and she'd held it in for so long, that that was the reason that she'd been so harsh to her children. After the presentation, she called her children and apologized to them.

The impact that Jane and her peers made at the conference seemed to launch a new era of transparency in Alaska about domestic and sexual violence; the media splash that followed drew a groundswell of support both for the 4-H youth and for recent state efforts to both document and prevent these crimes. But a few months later, when Erickson asked the kids if they thought their presentation had made a difference in Tanana, they all shrugged and made "zero" signs with their hands. Their stories had rocked the small community, too, but the fresh feeling "didn't really stick," Jane admits. "It went back like the old way."



In its short history as a state, Alaska has earned an unnerving epithet: It is the rape capital of the U.S. At nearly 80 rapes per 100,000, according to the FBI Uniform Crime Report, Alaska's rape rate is almost three times the national average; for child sexual assault, it's nearly six times. And, according to the [2010 Alaska Victimization Survey](#), the most comprehensive data to date, 59 percent of Alaskan women have been victims of sexual assault, intimate partner violence, or both.

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But those numbers, say researchers, just skim the surface, since sex crimes are generally underreported, and may be particularly underreported in Alaska for cultural reasons. "Those numbers are conservative," says Ann Rausch, a program coordinator at Alaska's Council on Domestic Violence and Sexual Assault. "They're still staggering."

The causes of the violence are complex and entrenched. Government officials, law enforcement personnel, and victim advocates note the state's surfeit of risk factors, from an abundance of male-dominated industries, like oil drilling and the military, to the state's vast geography, with many communities that have no roads and little law enforcement. "There are so many factors that tip the scale for Alaska," says Linda Chamberlain, executive director of the Alaska Family Violence Prevention Project. Not the least among them: the lack of strong law enforcement presence, or support services of any kind, in remote towns like Tanana. "It's easier for

perpetrators to isolate their victims and not get caught. And for people not to get help.”

Some believe that this fact both attracts and encourages criminals. The suspect for a recent rape in southwest hub community of Dillingham, for instance, was a white man who'd just arrived from somewhere in the Lower 48 to take a job at the Wells Fargo in town. “Because it happens in rural Alaska,” one victim advocate cautions, “doesn't mean it's only rural Alaskans who are a part of it.”

It happens at alarming rates in urban Alaska, too. In 2010, Anchorage and Fairbanks had the highest rape rates of all cities in the U.S. Some bars in Anchorage and Fairbanks are known for a prevalence of date rape drugs; others, in Fairbanks, are known for shunning members of the military after too many brutally violent nights. (The U.S. armed forces have their own issues with sexual assault: Investigations across the United States reveal victimhood percentages almost as high as Alaska's; in late 2013, the Alaska National Guard also launched an investigation of widespread sexual assault allegations within its ranks). John Vandervalk, a sex crime detective in the Anchorage Police Department, claims that the city's numbers are high partly because of attrition from villages where there are few or no services to address these kinds of crimes. But while rates of victimization are much higher among Alaska Natives—a survey from 2006 that analyzed law enforcement data in Anchorage found Alaska Native women 9.7 times more likely than other Alaskan women to be victims of sexual assault—anyone who works in Alaska's cities consistently confirms, like Vandervalk, that “this is not an Alaska Native problem. It's a problem that affects all demographics.”

Lawmakers aren't blind to the issue. In 2009, Alaska governor Sean Parnell launched Alaska Men Choose Respect, a statewide prevention initiative that combines pervasive public service announcements and annual rallies with a slew of other incentives, including increased sentencing for sex offenses and mini-grants for violence prevention projects.

But some argue that focusing on a centralized criminal justice system and government-led initiatives can only go so far. In a state where hundreds of roadless communities are scattered across hundreds of thousands of miles, and where the storied rates of violence against women can hit 100 percent in some villages, silence is the norm, and violence is almost expected. (Says detective Vandervalk, “You’ll get a Native girl who says, ‘My mom always tells me to wear two pairs of jeans at night to slow him down.’”)

It’s only in recent years that some Alaskans have begun to speak publicly about this problem. In many places, silence still endures. But Cynthia Erickson hopes that the “old way” will eventually fade, and that speech, above all else, will empower victims, shame perpetrators, and interrupt the cycle of trauma where it starts: in childhood. “This story of Tanana is absolutely no different than every single one of these villages,” she says. “This is our world. And this is the fight we’re fighting—for the children. I don’t have time for adults.”



**T**anana is nestled at the intersection of the Tanana and Yukon Rivers, about 130 miles northwest of Fairbanks, and is one of 165 Alaskan villages off the road system. In good weather, three nine-seater plane flights a day land at Tanana’s airport, a slim snowfield with a

few blinking lights. In January, temperatures can plunge to 60 or 70 degrees below zero, and the life-giving river is frozen solid. The sky gradually pales around 11 a.m. and darkens again by 3 p.m. in a splash of peach and hot pink. Beat-up trucks hibernate under feet of snow in people's yards. To get around, most residents drive open-air snow machines, staving off the wind chill with the wide earflaps of homemade marten-fur hats (or, in one instance I observed, strips of cardboard and duct tape).

The regular flights are packed with freight, so things like toilet paper and Doritos don't usually have a problem making it in to the Ericksons' general store, though sometimes weather can keep staple items off the shelves for weeks. The day I arrived, it had "warmed up," as locals like to say, to five degrees below zero. Five o'clock in the evening marks the start of rush hour, and half the town had stopped in the store to pick up tomato sauce, frozen dinners, Gatorade, candy. They asked each other about the day's work, commented on the weather, and gruffly dropped their items one by one on the counter, cheeks red from the cold. A petite teenaged girl with long dark hair and spindly legs waltzed through the pinging entryway wearing only basketball shorts and zebra slippers. (This far north, cold is relative: The previous few days, at 40 below, with powdered-sugar snow so dry and cold it squeaked underfoot, Alaskans had called it "chilly.")

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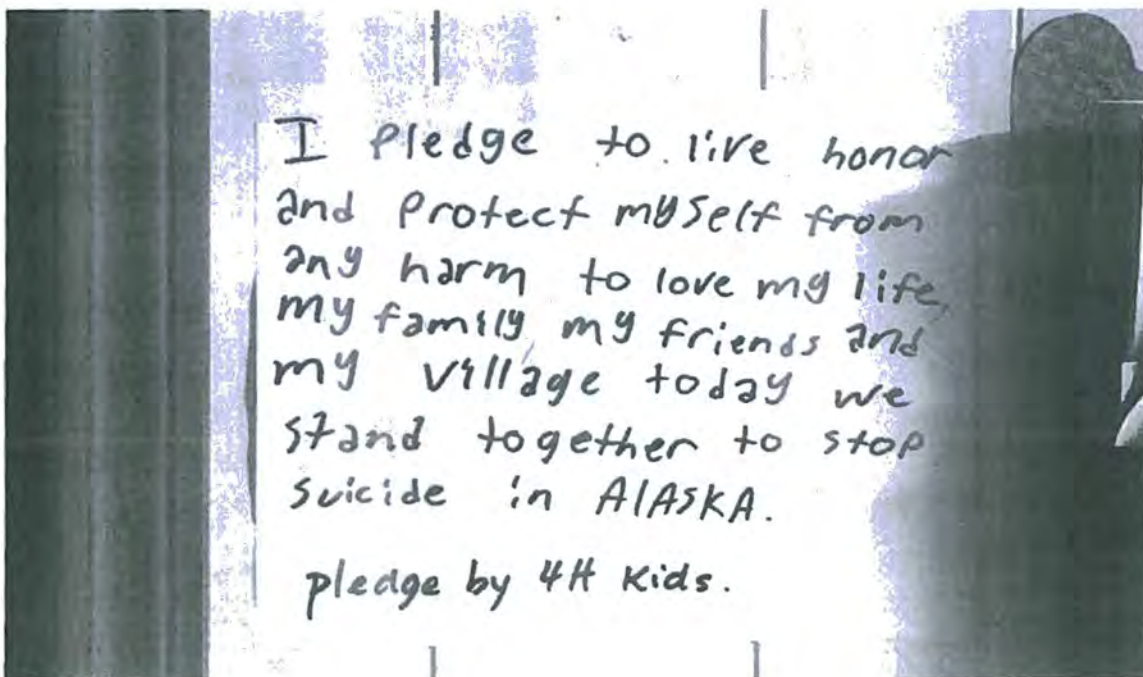
## Why hadn't his daughter told him? Why had she waited so long to talk about it, and why then to the entire state?

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I first met Erickson and her husband, Dale, at a high school basketball game in Fairbanks, followed by steak salads at Denny's—or, as it's known: "the northernmost Denny's in the world." In the middle of the game,

packed onto narrow bleachers, Erickson launched directly into the litany of abuses she'd witnessed and heard of in Tanana, and precisely what she thinks of those who see violence and do nothing. An older woman a few rungs above us tapped her on the shoulder, and as she turned, her face lit up, recognizing an old friend; they spoke eagerly for most of the rest of the game. On our way out, Erickson ran into a young woman. She put her hand on her shoulder and exclaimed at the teenager's beauty and adulthood, demanding updates. Dale Erickson hung back patiently, until he saw his window: "Quick! Let's get her out of here before she runs into someone else she knows."

Erickson has a cap of frosted curls, high cheekbones, and gem-like blue eyes. She exudes a fiercely protective maternal energy and has no qualms about the public way she's been going about shifting things in Tanana. "I'm sleeping pretty damn good at night," she says. If no one will report abuse to the authorities—or if the authorities don't act fast enough—she often leaves anonymous, vaguely threatening notes for people she believes are beating their wives or molesting their relatives. "I just started voicing my opinion in the last couple of years. I don't give a shit anymore," she said. "I really don't."



After the 4-H presentation, she told kids to be on guard for backlash. Most of the kids hadn't told their families about the content of their speeches beforehand, and then, thanks to the media blitz that followed, the state of Alaska got an earful. For many families, the sudden publicity felt threatening. Jane's parents, in particular, resented that she hadn't come to them first; her father called his daughter a few hours afterward and left a dismissive voicemail message, speaking about her in the third person. "She's overreacting," he said. "She just got touched by a couple of drunk people." When he did reach her, he told her he felt betrayed: Why hadn't she told him? Why had she waited so long to talk about it, and why to the entire state?

The Alaska Federation of Natives asked the Tanana 4-H group to repeat their presentation a few days later, at a second, larger conference. Jane's father demanded that she change her speech for the second round, offering less detail, and less of her personal experience, because people would be jumping to conclusions, wondering who she meant when she said "it's happening in his house, in her house, even in your own bed." He feared her words could implicate him.

A Tanana teacher told me he'd known the presentation was going to "stir the pot" before it happened, and that it probably was still "ruffling feathers"; some residents avoided the general store for weeks, sending family members to do the shopping instead, and some still avoid speaking to Erickson. While most adults were outwardly supportive of the kids' courage, a lack of outright retaliation didn't necessarily indicate a truce. For Erickson, evasion can cut as deep. "You can be a bully without saying a word."

One woman, who briefly described her own experience with sexual abuse—and her daughters', and her sisters', and her friends'—as a matter of course, shook her head and looked away, hands folded, at the mention of Cynthia Erickson. To her, all the publicity following the 4-H group's

speeches was an embarrassment; you kept private things private. “You say Cynthia Erickson and my guard goes up,” she said.



**W**hile few victims deny that sexual assault and domestic violence should be punishable crimes, the public shaming of an elder or father or brother is a big deal in a village where everyone is related—either by blood, or by a lifelong relationship just as binding. “Everybody knows who’s doing what,” Erickson told me. “It’s common river knowledge. Who’s the molester. Who’s the abuser.” But families struggle to protect one another and their lives going forward, knowing that anyone they offend will be at the post office the next day, and the day after, and the day after that. Winters are long, brutal, and dark, and in a tight-knit, tiny community, connected to most of its income, medical care, and law enforcement only by airplane, conflicts often simmer in silence. Flights aren’t cheap; when tensions build, there’s no place to go.

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For that reason, family members often blame the victims, or the friends of victims, who attempt to report a crime, out of fear of losing material support, or a vital link in a precarious web of familial structure. When a young man from Tanana was accused of sexually abusing several village children a few years ago, some of his relatives verbally attacked the woman who turned him in, saying, “Shame on you. He had his whole life in front of him and you’re going to ruin it.” Even the raffle the 4-H group organized to help fund the trip to Fairbanks for the conference sold very few tickets, one Tanana resident claims, “because it was dealing with hard issues.”

Often, when state troopers—the only police force available for a quarter of Alaska’s villages—are called in for a brutal assault case, they’ll get on the next available flight, but when they arrive on the scene, no one will talk. Lieutenant Andrew Merrill, a state trooper who lived and worked in Bush Alaska for a dozen years, notes that in many cases, a perpetrator is also “the one that chops wood, hauls the water, hunts the caribou so there’s food in the house. So, it’s like, ‘Yeah, he punched me, and yeah, I want this to stop, but I also need to survive.’”

It took one woman 30 years to begin speaking about the time she was gang raped in Tanana. She claims that the main perpetrator apologized to her the summer after it happened, and that she “was in no place to accept

that. I had a gun and was going to kill him.” But she did nothing. She feared for her children, her family’s reputation, her affiliation with the local church. “It was so shameful to me that I didn’t dare tell anyone but the doctor,” she says. “I told the doctor and I got an abortion. I thought if I told the cops, then everybody would know. What would people think? So I just suffered with it.”

A friend of Cynthia Erickson’s who grew up with her in Ruby, a town of 172, endured brutal beatings by her husband for several decades before she uprooted her life and moved with her children to Fairbanks. She wasn’t able to go back to Ruby to visit for many years because “she ‘broke up the family,’” says Erickson. “I’m like, ‘broke up the family’? He beat the shit out of her! But she was looked down on for a long time.”

Jane, too, has no intention of sending someone who she grew up with to jail—someone she’d trusted, and who she says she now hates, but still, on some level, loves. After the Tanana 4-H group gave its second presentation, the Office of Children’s Services was ready, this time, to whisk her offstage. Jane told investigators what the man had done and they urged her to press charges. “But my first thought was, ‘I can’t do that,’” she says. Jane felt she’d already done enough damage by making a public presentation and mentioning the molestation, even in vague terms; her family began shunning the accused and she felt she’d already, to some degree, destroyed his life. She looked up at the state trooper and said, “You do realize that I grew up with him?” He handed her his card; as soon as they left the room, she tore it up and threw it in the trash.



**T**he word for “trooper,” according to Lieutenant Andrew Merrill, translates in nearly every Native language in Western Alaska as “‘he who comes and takes away.’ That’s what we’re seen as,” he says, citing both the structure of rural Alaskan law enforcement, and the perception of it: “You call us, we fly in, we do an investigation, we put somebody in handcuffs and we fly away.”

Merrill is now Deputy Director for C Detachment, a state division that’s four-fifths the size of Texas, spanning hundreds of thousands of miles between Anchorage and Alaska’s western coast. It employs roughly 30 troopers.

Because the area they patrol is so large, and staffing so slim, the amount of time it takes for state troopers to arrive on the scene is anywhere from several hours to several days. And since effectively prosecuting a sexual assault often requires a forensic examination to collect DNA evidence—an exam that typically can only be conducted in full in urban hubs—by the time a victim gets one, if she gets one at all, the 72-hour collection window may have passed.

“In a worst-case scenario,” Merrill says, “we have people collect their own undergarments, use their cell phones to take pictures of the room, talk to a local health aide about collecting urine in a cup.” Troopers will go forward with the investigation, regardless, if the victim wants to press charges, but it’s often tougher for district attorneys to build a case. That, and the high numbers of victims who recant their testimony—or refuse to give it in the first place—are a large part of the reason more than half of the reports that reach state troopers never make it to the DA’s office.

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## She looked up at the state trooper and said, “You do realize that I grew up with him?”

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While the state has made a concerted effort to improve training in sexual assault and domestic violence investigations, Merrill points out that young, inexperienced troopers who’ve been “chasing broken tail lights” in Anchorage often struggle when sent into Bush Alaska and are tasked with pursuing far more serious crimes. To provide more boots on the ground, governor Parnell’s administration has more than doubled the number of Village Public Safety Officers, or first responders, since 2008, with the official goal, says Choose Respect coordinator Katie TePas, of providing some form of local law enforcement for every community that wants one. (VPSOs weren’t allowed to carry firearms until this summer, when a new bill passed the state legislature. The bill also set aside limited funds for firearms training.)

But the jobs are difficult to fill. Hiring officers from outside a village or its surrounding communities can present all kinds of challenges, from housing shortages to high rates of attrition, but hiring from within often forces a cop to choose between his job and his family. “We have VPSOs who quit because they don’t want to arrest their uncles, their brothers and

sisters,” says Merrill, adding that recently, one VPSO was tasked with arresting her own son.

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For now, at least 75 of Alaska’s communities have no local police or Village Public Safety Officers, according to an [October 2013 report](#) by the Indian Law & Order Commission. The group devoted 60 pages of its nationwide survey to Alaska, calling the state’s centralized law enforcement system “unconscionable,” and citing, in particular, the rates of domestic and sexual violence.

But to rely solely on criminal law, says Ginger Baim, former executive director of SAFE, a shelter in Dillingham, is “like going to the emergency room and saying, ‘What have you done to stop accidents?’” The manifestations of sexual and domestic violence in Alaska “are all symptoms of the problem,” she says. “They’re not the problem.”



**W**hen Americans and Russians began showing up in Alaska, they brought with them—as settlers did in the rest of the U.S.—an explosion of disease. In the late 1830s, small pox wiped out a third of the Native population in southern and western Alaska. In 1900, a flu and measles epidemic did the same—or worse, by some estimates. Some villages were decimated; in others, there weren't enough left alive to bury the dead.

Then, shortly after the second pandemic, many Native Alaskan children were shipped off to boarding schools—some as young as 6 years old—and many were beaten, sexually abused, and urged to forget their languages and cultures. In a few villages, multimillion-dollar lawsuits were filed against Catholic priests and church workers for molesting almost an entire generation of Alaska Native children. (The suits were settled in 2007 and 2011.)

Public health nurse Paula Ciniero has worked in 10 villages in the Fort Yukon subregion of the Interior, a vast swathe of land north of Fairbanks,

for the past decade. She focuses on various public health needs such as immunizations and tuberculosis testing at local clinics, but she says roughly three quarters of her time these days involves sexual or intimate partner violence. “People get mad at me when I say it’s become tradition, but it has,” she says. “We’re talking about third-generation violence. That’s tradition.”

This is further exacerbated by the fact that traumatic experiences can lead to alcohol and drug abuse, and alcohol and drug abuse can lead to further traumatization. “It’s like a circle, you can’t take just one; they’re all linked together,” says Cynthia Erickson. “You’re born, you’re molested—kick another domino down.”

Detective Vandervalk, in Anchorage, notes that the average blood alcohol level for a victim at the time of a rape exam is .21—two and a half times the legal limit. “And that’s average. We routinely deal with people in the high threes, fours, fives—both on the suspect’s side of the house, and on the victim’s.” No one’s blaming the victims, he insists, but still: “If you make yourself vulnerable by drinking too much and passing out, something bad is going to happen to you sooner or later.”

Ginger Baim, the former SAFE director, claims that almost all sexual assaults that have taken place in Bristol Bay region for the past 25 years are not only facilitated by alcohol, but happen when a victim is passed out cold. Her own assault, when she was a teenager, happened that way—and the man who raped her may also have been affected by fetal alcohol syndrome. “His mother drank every single day she carried him,” she says. “He was born pickled.”

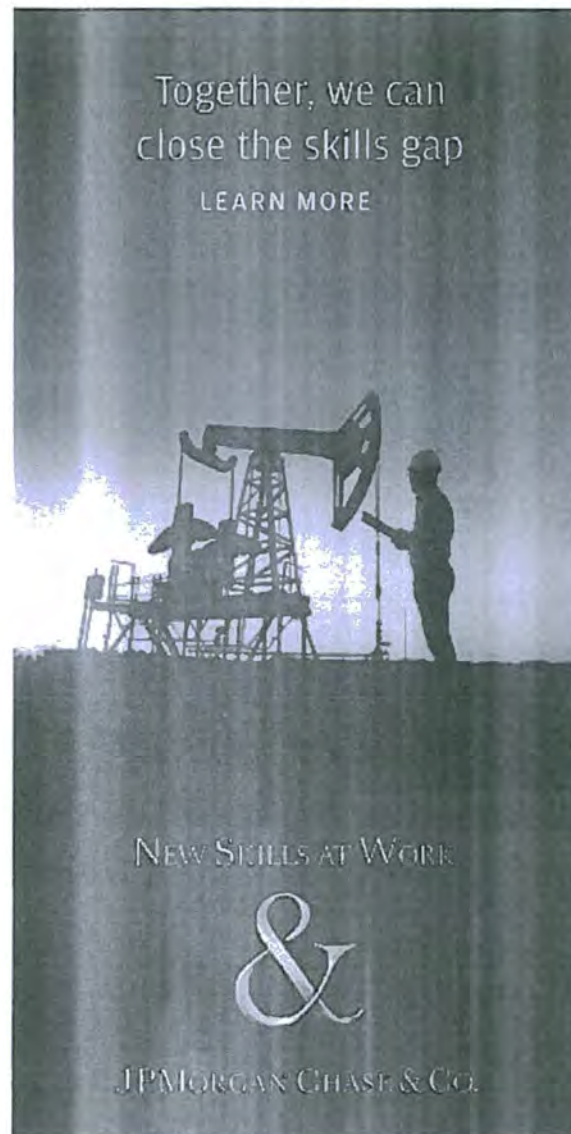
Experts and locals often link Alaska’s high rates of suicide with sexual assault, too. Many men were abused as young boys—something that’s also, slowly, surfacing. “It’s putting a Band-Aid on the hurt,” says Erickson. “That’s why there’s so much alcohol and drugs. That’s why there’s so much rape. They don’t feel good, they black out, and alcohol and

drugs cover the pain. That's why we're so dysfunctional. Nobody's dealing with it."



**T**anana's counseling center is a low-slung ranch-style house painted sea green. It lies steps from the village medical clinic, which is right next to the school. Inside, the center is warm and comfortable, with two soft brown couches and several armchairs. Someone's always offering tea or coffee, and one morning, at an AA meeting, there was a pot of moose soup: hunks of shredded meat and carrots suspended in a thick broth.

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In the winter, when night falls early, the town's health director, Theresa Marks, hosts a weekly sewing group here. A handful of women drink tea and chat over the dark-season projects they're working on: beaver and marten fur mittens and slippers, crocheted scarves, and elaborate "sun-catchers" crafted with multicolored hollow beads so tiny they have to be picked up with a needle. If women and their families aren't trapping animals, they can purchase them wholesale in town or nearby: polar bear, wolverine, moose. One woman boasts that she snagged an entire moose hide for \$100. They dish the latest gossip and share jokes of the day,

cackling over the reliable antics of 2-year-olds or the “badass granny” bumper stickers on an older woman’s snow machine.

One woman told me that, historically, the kind of sexual abuse and assault so many people were experiencing was *huklani*, or bad luck, so no one spoke openly. “It was taboo,” she said, “Like, bad, you don’t talk like that, you don’t say that.” When she tried to say something to her grandmother, once, she was hushed. “You learn not to talk when you’re a kid.” But over the last few years, women’s groups and regional meetings have increasingly turned into spontaneous talking circles.

Sabrenia Jervsjo, Cynthia Erickson’s cousin, works as a rural advocate for the Interior Alaska Center for Nonviolent Living, and she says her job is to encourage just that: Each time she turns up in another village, more people come, and more people talk—more adults, including more men. Public health nurse Paula Ciniero is part of a grant-funded collaborative team that travels statewide, leading workshops on identifying and healing from domestic violence and sexual assault. “We get so much positive feedback,” she says, “Women say to me, ‘Now I know why my parents don’t talk. Now I know why my parents have said what they’ve said.’ It’s like the light bulb goes on.”

While Erickson claims with a weary laugh that her general store has served as an unofficial talking circle for 28 years, health aides from the Alaska Native Tribal Health Consortium did organize an official healing workshop in Tanana shortly after the 4-H presentations. And many Tanana residents appreciate the idea, at least, of speaking out. One woman, also a survivor, organized a welcome home pizza lunch immediately after the talks; the adults who attended that day stood and read the kids’ own words back to them, and said, “We hear you.”

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**“People get mad at me when I say it’s become tradition, but it has. We’re**

## talking about third-generation violence. That's tradition."

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Erickson gets emails and phone calls every day now, and is constantly fielding requests to bring the 4-H kids to other conferences and gatherings. When visiting Allakaket, population 109, about a hundred miles to the north, a woman dashed across the town hall, cornered her, and begged, almost in tears, "Please, could your kids please come talk to my kids?"

In March, Erickson took a few of the 4-H kids to the Cama-i Dance Festival in Bethel, a southwest hub community halfway across the state, scrounging together the funds through donations of airline miles. The girls who attended gave a short speech, showed the video from their first presentation, and met dozens of other kids who had identical stories to theirs.

The week before, Erickson had won the Doyon Corporation's 2014 Daaga' Community Service Award, and when she got it, she wept—from embarrassment. "My parents, my grandparents, they didn't get awards. They were just called good people." She looked at the certificate, and said it was a nice frame; she'd rather put a family picture in it. "I'm not gonna sugar coat shit, we've been doing that too long," she told me. It's taken decades to create all this violence, she said, and the kids' "zero" signs reflect real feeling. Patterns continue, and when it comes to talking circles and workshops and counseling sessions, "the people who really need to be at that aren't at it."

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Jane says her parents stopped drinking after the presentations—a huge shift, although she claims it was for physical health reasons. She also believes there are fewer people stumbling around the streets of Tanana intoxicated, and fewer parties in the middle of town on weekdays. “I feel like the adults know that the kids are watching them now,” she says. “Kids are little, but they still have smart minds, and know what’s going on at all times.”

Jane used to be painfully shy, but since joining 4-H, she has become more outgoing; she recently became captain of the basketball team, and this spring, she won a medal, ranking her among the tournament’s top five players. She wants to be a state trooper, a teacher, or a chef, and plans to go to college in Fairbanks.

But becoming a celebrity, thanks to the presentations, required some adjustment. So many people began dashing up to her at basketball games, telling her how brave she is—it was gratifying, but also a little unsettling. At a recent tournament in Huslia, a village 130 miles to the northwest, a local woman brought her elderly mother up to Jane, saying, “Mommy, remember? She was one of the 4-H kids from Tanana.”

Every time Jane is pegged as a hero, she’s reminded of the story she told to the world, a story that on most days she’d rather forget. “They come up to me and say they’re so proud of me, and I should keep doing what I’m doing,” she says. “But I always have second thoughts.”

A few months ago, Jane received an email from a national 4-H director, in Washington, D.C., asking her to put in an application to be a Healthy Living Youth Ambassador, one of five teens who’d work alongside 4-H staffers to build and promote wellness programs. Though she says she’s not sure she’ll apply, she appreciates the offer; it means the world is listening, whether or not she’s the one who will keep talking. “I want kids to know that they don’t have to follow the path of our parents,” she says. When it comes to this, there are no second thoughts. “I don’t want us to be the victims anymore.”