
Cuyahoga County Sexual Assault Kit (SAK) Research Project¹

The Begun Center for Violence Prevention Research and Education (Begun Center) at the Jack, Joseph and Morton Mandel School at Case Western Reserve University is partnering with the Cuyahoga County Sexual Assault Kit Task Force (Task Force) on an action research project to examine untested sexual assault kits (SAKs) in Cuyahoga County. The Task Force is currently following up via investigation and prosecution on the DNA testing of nearly 5,000 previously untested kits from 1993 through 2009. *To date, the Task Force has had more convictions resulting from the backlogged SAKs than any other jurisdiction addressing backlogged SAKs.*

In early 2015, The Cuyahoga County SAK Research Project team began to examine case files of these now-tested kits. The team has currently gathered details on nearly 500 of these untested cases capturing extensive details about the rape kit, the sexual assault, the offender, the victim, the investigation, and the prosecution. This is an extremely unique project that captures detailed, historical data over an almost 20-year span of time for a large number of sexual assaults in Cuyahoga County that were never prosecuted—for the purposes of informing and reforming current policy and practice.

Highlights

Untested SAKs represent a missed opportunity to identify an unknown offender, confirm the identity of a known offender, connect an offender to previously unsolved crimes, even possibly exonerate innocent suspects, as well as populate the federal DNA database. Testing, on the other hand, sends a supportive message to victims that we believe them and that the criminal justice system will overcome the stereotypes and myths that have historically influenced how rape cases are handled.

The Begun Center's sample of SAKs consist of completed investigations that were either indicted or not indicted due to insufficient evidence by the Task Force. These represent cases that could be currently prosecuted.

About the Cost (as of January 1, 2016)

- Total tangible ("direct") and intangible ("indirect") cost to the victims with untested SAKs: \$885.8 million.
- Cost of testing and investigating all untested SAKs: \$9.6 million.
- Total cost savings of future sexual assaults averted due to the SAK Task Force: \$48.2 million (excluding cost of prison), **resulting in a net savings for the community: \$38.7 million. Each SAK tested produces a net savings to the community: \$8,893.**

¹This project is partially supported by Grant Nos. 2015-AK-BX-K009 and 2016-AK-BX-K016 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the U.S. Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

-
- The Task Force is projected to have 1,290 indictments and 948 convictions, which is a 90.5% conviction rate (of all indicted, non-dismissed cases) from this initiative.

About Serial Sex Offenders

- One-third of the sample of serial sex offenders target victims both known and unknown to them.
- Most offenders (serial and nonserial sex offenders) have felony-level criminal histories. Serial sexual offenders have a more extensive and violent history.
- More than half of offenses committed by serial sex offenders occurred in open areas (outdoors or in a car).
- Serial offenders were more likely to threaten with a weapon while non-serial sex offenders were more likely to injure the victim beyond the violence inherent in completing a rape.
- Approximately one quarter of serial sex offenders had a prior arrest for sexual assault and approximately 60% of serial sex offenders had a subsequent arrest for sexual assault.

About the Victims

- 99% of victims were female.
- A majority of victims were attacked by strangers or casual acquaintances.
- For 88% of victims, police reported no credibility issues and only about 10% of victims had a history of prostitution.

About the Investigations and Current Prosecution

- Initial investigations (at the time the SAK was collected) remained open for an average of 40 days, with approximately a quarter remaining open one day or less and half remaining open one week or less.
- At the time of report, 96% of victims cooperated with police. After initial contact 69% did not respond to further contact attempts by police.
- The Task Force has been successful at prosecuting these cases. Of our sample of cases, none had been indicted at the time but now, 74% have been indicted.

Policy Recommendations

- **We cannot test our way out of this problem.** Adequate resources must be provided to thoroughly investigate and prosecute.
- **Testing is just the first step**, which must be followed up by a thorough investigation and prosecution.
- **Test all SAKs**—not just SAKs associated with stranger sexual assaults or those outside of the statute of limitation. Offenders frequently assault stranger and non-strangers

and do not have consistent offending pattern across offenses. *Testing all kits maximizes the chances of identifying serial sex offenders. Many of serial sex offenders would not have been identified if not for all kits being tested.*

- **Investigate all** (prosecutable SAK cases), including those without a DNA hit. The Task Force has been successful at indicting cases without a DNA hit, as frequently suspects were named in initial reports and/or there was additional evidence that could be tested.
- Given the high percentage of serial sex offenders identified via testing and investigating, law enforcement would be better served by **treating every sexual assault as potentially perpetrated by a serial sex offender.**