



Maryland Sexual Assault Evidence Kit Policy and Funding Committee

Tuesday, March 9, 2021

1:00 pm – 3:00 pm

Microsoft Teams Video Meeting

MEETING MINUTES

In attendance:

Argi Magers, Ashley Young, Barbara Darley, Carrie Williams, Dan Katz, Donna “Melinda” Clark, Heather Amador, Jane Krienke, Jessica Williams, Joyce Dantzer, Kristen Lease, Laura Jessick, Pamela Holtzinger, Scott Shellenberger, Tiffany Rexrode, Zenita Wickham Hurley

Committee Meeting

Opening Remarks

The Chair, Zenita Wickham Hurley, welcomed everyone and acknowledged our newly appointed Committee member, Delegate Shaneka Henson, who was appointed as the representative for the House Appropriations Committee. The Chair also congratulated Committee Advisory Member, Captain Brian Edwards, who was recently promoted to Captain and assigned to Baltimore County’s Precinct 8 in Parkville.

SAKI Grant Updates

Committee Counsel Jessica Williams provided updates regarding the SAKI Grant inventory, The Office of the Attorney General (OAG) is responsible for conducting the statewide inventory. The inventory is being conducted in phases. The phase breakdown has been reorganized to account for challenges related to collecting partially tested kit data, the preventative measures put in place to combat COVID-19, as well as any internal matters at the various law enforcement agencies (LEAs). The inventory is currently separated into five phases. Thus far, the SAEK investigators have visited 50 law enforcement agencies and inventoried an estimated 6,721 unsubmitted SAEKs. Law enforcement has also reported over 500 partially tested kits.¹ Phase I, II, and III have been submitted and certified by the Department of Justice’s, Bureau of Justice Assistance. OAG has submitted Phase IV and is currently awaiting approval.

Argi Magers, Forensic Scientist Manager with the Maryland State Police (MSP) Forensic Sciences Division’s Biology Section, provided the update about testing under the SAKI grant. Testing has begun for Phases I, II, and III. Pursuant to the contract with Bode International, SAKI kits are

¹ Partially tested are kits that were tested with serology only or tested with antiquated DNA techniques that prevent upload into CODIS.



gradually being tested and all results provided to the local labs. Although we are still early in the testing process, there have been some CODIS hits.

Laura Jessick from the Maryland Coalition Against Sexual Assault (MCASA) provided updates regarding victim notification under the SAKI grant. MCASA finalized the victim notification protocol and sent it to all LEAs that possession unsubmitted SAKI grant kits. MCASA also established the SAKI information hotline for victims, which allows victims to provide their notification preferences. Thus far, there has not been much engagement on the hotline and MCASA requested assistance from SAEK Committee members to get the word out and notify the public.

In addition to providing victim services under the SAKI grant, the SAEK Committee is also required to develop a CODIS Hit and Cold Case Plan. The purpose of this plan to establish a uniform statewide approach to address CODIS hits and investigate cold cases under the SAKI grant. The SAEK Committee will convene a meeting with representative from local law enforcement agencies in both urban and rural areas to obtain the LEAs feedback regarding the Committee proposed plan.

Heather Amador from the Governor's Office of Crime Prevention, Youth, Victim Services (GOCPYVS) provided the update about the statewide tracking system. For the past few months, the SAEK Committee has met with representatives from the Maryland Department of Information Technology (DoIT) to conduct an in-depth review of five tracking systems. SAEK Committee members were also given the opportunity to work within some of the systems. The SAEK Committee members that reviewed each system included all potential tracking system users (i.e. forensic nurse examiners, law enforcement, forensic laboratory personnel, prosecutors, and administrators). The review team also included victim advocates, hospital personnel, and IT professionals.

SAKI Tracking System Presentation & Discussion

Francis Benvenga from DoIT conducted a presentation on each tracking system that the SAEK Committee reviewed: STACS DNA Track Kit System, Portland's Sexual Assault Management System (SAMS), Idaho's tracking system, and Forensic Advantage. The presentation analyzed the SAEK Committee's articulated tracking system requirements in relation to each system's capabilities. Mr. Benvenga went through the requirements and explained whether each tracking system met the requirement or did not meet the requirement. Mr. Benvenga also conducted a cost analysis for each system.

After the presentation, the Committee was given an opportunity to discuss and ask questions. The Committee ultimately reached a consensus to proceed with a commercial solution which will require a procurement process.

Formalizing the SAEK Committee Untested Kit Review Team

The Chair advised that the SAEK Committee received its first Untested Kit Review request. In the coming weeks, a subset of the SAEK Committee will meet to conduct the Untested Kit Review. The review team will contain all required members under COMAR 02.08.03.04(B).



Implementing Prior Legislative Enactments

In our 2021 Annual Report, the SAEK Committee made a commitment to focus on implementing prior legislative enactments throughout the State. The specific areas of focus include: Untested Kit Reviews, expanded SAEK collection up to 15-days after the sexual assault, the new testing criteria, annual law enforcement reporting, and the 20-year retention requirement.

The Chair also advised the Committee published an FAQ document to address: (1) the parameters of a sexual assault forensic exam (SAFE) that is conducted after 5 days, but prior to 15 days after the sexual assault; (2) an Anonymous victim's right to obtain an exam; and (3) a victim's right to unilaterally obtain a SAFE. All Committee members were given an opportunity to review and provide feedback before the FAQ document was finalized.

Other Business and Comments

The SAEK Committee discussed the upcoming 2021 SAKI grant solicitation. After the solicitation is released, the Funding subcommittee will convene to discuss the State's potential application.

The meeting was adjourned at approximately 3:00 PM.