

**Evidence Collection Kits**  
**SART Listserv**  
**September 2007**

*States are listed as a reference and not as a statewide perspective.*

**Background:** An advocate needs suggestions about where to purchase medical forensic evidence collection kits and their cost. Additionally, a detective wants to know if other communities use kits with vials or without.

**Alaska**

- Evidence Collection Kits (rape kits are what the rapist uses) come from our crime lab.
- We call the state troopers and they bring them to us.

**Arkansas**

- Our state crime lab gives them to the emergency departments.

**Florida**

- Florida Dept. of Law Enforcement has kits custom made by Sirchie.
- The cost decreases with increasing number of kits ordered. If I recall correctly, the price starts at maybe \$8-10 apiece. Price is lowest when 800+ kits are ordered at once, but even ordering 400, there is a decent discount. <http://www.sirchie.com/>
- Sirchie had expiration dates on the kits presumably for the blood vials inside.
- Instead of discarding expired kits, the emergency department replaces the vials.
- We just recently went to a smaller kit with no vials and no hair pulls.

**Kansas**

- The Kansas Bureau of Investigations (our state law enforcement division and crime lab) provides each hospital with a supply of standardized evidence collection kits at no cost.
- Locally, our SANE Program (Wichita) also has kits for when there is a suspicion of drug-facilitated sexual assault. These separate kits are ordered via Tri Tech, Inc. at [www.tritechusa.com](http://www.tritechusa.com).
- We replace blood tubes with new ones rather than discarding the entire kit.
- We have attempted to get the pubic and head hair pulls taken out of the kit, without success.
- It is left up to each SANE as to whether they complete this portion of the exam, per victim comfort level.
- It is documented on the envelope..."patient willing to come back in to have hair collected at a later time should it be needed" or "patient requests not to have this portion of the exam completed."
- We encourage staying away from wording like patient refused, etc.
- Part of the decision making process for the SANE here is often whether or not the victim and suspect live or frequent the same home/location of the assault. Hairs become irrelevant if they live or frequent that location. They are usually not

- collected in those circumstances simply because you would expect transfer of hair in same living arrangements, intimate relationships, etc.
- Our state crime lab prefers that hairs are collected, but are understanding of patient issues/comfort, and above listed circumstances, etc.

### **Location Unknown**

- For SAFE kits go to: [www.armorforensics.com](http://www.armorforensics.com) they have a catalogue “Armor Forensics” on page 55 you will find Sexual assault evidence collection kits

### **Michigan**

- They are provided free from the State Police.

### **Nebraska**

- Nebraska Kits still have the lab drawn.
- At night, the forensic examiner draws the blood but during the day, the lab draws the blood.
- We are a small rural hospital and perform our own blood alcohol draws.

### **Ohio**

- Lyn Peavey Co. sells evidence collection materials and is contracted to make the kits by the Department of Health. <http://www.lynnpeavey.com/>
- They cost approximately 14.00 per kit.
- It is important to work with the state health dept., crime lab and/or law enforcement agencies to see what the kit should contain. No two kits are created equal.

### **Oregon**

- We do not use blood tubes and no longer are required to pull pubic hairs.
- If we need blood, the lab comes in to do the draw.
- Our SAFE kits are provided by Oregon State Police at no cost to our hospitals with SANE programs.

### **Washington**

- In Washington (Pierce County), the kit that is used does not have vials, but they do contain hair pulls.
- They are purchased from Sirchie.
- I have not known them to have an expiration date..

### **Wyoming**

- The Wyoming kits utilize a finger-prick and air drying container for controlled blood samples.

## *Selection of Evidence Collection Kits*

### **Issue: What suppliers do States use for standardized evidence collection kits?**

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#### **California**

- The crime labs need to be involved in the selection of the kit or it will not go forward.
- Having just the prosecutor dictate the evidence collection process will never work.
- In The Change Theory, users need to be part of the process or you will meet with resistance.
- Suggestion for kit development: send a letter to all the crime labs and the SART centers and call a meeting with a facilitator

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#### **California (Northern)**

- The criminalist who works for DOJ puts together and provides the sexual assault exam kit to two of the three counties served by our agency

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#### **Florida**

- We use Tri-Tech. They prepare the kits to our specifications
- The Florida Dept. Of Law Enforcement supplies our kits

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#### **Georgia**

- Tri-tech made a special kit for Georgia.

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#### **Kansas**

- Our state has worked primarily with Tri-Tech and they have been very willing to let us standardize our own kit; tailor the paperwork to fit our needs.
- Keep in mind that each case will be collected in an individual manner and some steps may not apply in each case, that is the beauty of having specially educated SANEs to provide the care and develop an individualized care plan

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#### **Massachusetts**

- We have convened the advisory to develop the protocols and kit contents and have sent the information to Tri Tech to produce.

- It has worked out well and they have produced comprehensive evidence kits

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## Minnesota

- MN Bureau of Criminal Apprehension sets up the requirements for the contents of the kit and then sends it out for bids

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## Mississippi

- Standardized state rape kit started six years ago along with our SANE program
- We called together a committee of prosecutors, crime lab personnel, advocates, and healthcare professionals to develop it.
- We were desperate for uniformity and something that would give the crime lab what they really needed
- After six years of SANE and the standardized kit, we have good uniformity and just about every hospital is educated on how to complete a basic kit
- We recently changed the Kit forms significantly and the procedures for payment.
- We used California's forms and modified them to fit our preferences and circumstances
- California's forms have all the information that every team member needs
- We tied the use of the very detailed forms to the payment system
- Now the hospital has to fill out the form and send it with a universal billing form, and they will get paid up to \$1000, no questions asked
- The payment system provides the motivation for the hospitals to use the forms
- Any charges beyond \$1000 are paid after review for medical necessity
- We monitor and evaluate the system statewide and provide education/training as needed
- Monitoring the forms also alerts us to emerging issues that need addressing
- The forms were sent to everyone, and put on the Attorney General's website: [http://www.ago.state.ms.us/divisions/crime\\_victim/cvcp.php](http://www.ago.state.ms.us/divisions/crime_victim/cvcp.php). Look midway down at the paragraph that starts "Effective July 1..."
  - [http://www.ago.state.ms.us/divisions/crime\\_victim/adolescentform.pdf](http://www.ago.state.ms.us/divisions/crime_victim/adolescentform.pdf)
  - [http://www.ago.state.ms.us/divisions/crime\\_victim/adolescentform.pdf](http://www.ago.state.ms.us/divisions/crime_victim/adolescentform.pdf)
- [http://www.ago.state.ms.us/divisions/crime\\_victim/sexualassaultpolicy.pdf](http://www.ago.state.ms.us/divisions/crime_victim/sexualassaultpolicy.pdf)
- Memos and sample forms were sent to all prosecutors, law enforcement agencies, advocacy agencies, hospital billing departments, emergency departments, and all SANEs.
- TriTech is easy to work with, and they are good about talking you through decisions and rationales. (We considered changing from blood tubes to filter papers, but the representative at TriTech explained the pros and cons, and we ended up sticking with what we had)
- We are undergoing a three month trial period. At the end of that time, we will finalize the forms and TriTech will include them in our standard kit.

## National Overview

- States were surveyed in 2002 in conjunction with the National SAFE protocol
- Most appeared to take a standardized kit (e.g., the basic Tri-Tech kit) and customize it to meet their laws and protocols
- The process of customizing happened sometimes through a multidisciplinary committee input and coordination but sometimes through one agency or a collaboration of two or more agencies (e.g., health dept., state advocacy program, and criminal justice agency)
- A few states developed their own kits without using commercial companies
- A few used commercial kits that are not customized.

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## New Mexico

- New Mexico has had a state wide Sexual Assault Evidence Kit for the past 8+ years
  - it was updated this past June
  - When researching our updates, we found California has some incredible documents
  - We have a contractor who "puts the kits together" based on recommendations from our two state crime labs
  - it costs us about \$15 dollars per kit
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## New York State

- **Supplier:**  
PWI  
"Sexual Offense Evidence Collection Kit"  
240 O'Conner Street  
Wellsville, NY 14895  
(716) 593-6645
- This kit is used state wide and is distributed by The New York State Division of Criminal Justice Services
- All the labs in NY that accept and process these kits see the same kits submitted in a uniformed prescribed manner by those who submit.
- No variations on kits, forms, process etc.
- A committee meets jointly to discuss, update or change the contents of the kit.
- The kit has undergone numerous changes over the years, including removing the blood tubes, and replacing them with buccal swabs for DNA collection (this also helped with storage issues since they no longer need to be refrigerated.)
- We changed our Kits a while back and put a box on the front that can be checked to show whether or not a trained forensic examiner performed the exam

- Crime labs tell us that the Kits performed by trained sexual assault examiners are superior to those performed by physicians in the emergency department (in terms of evidence collection, specimens on correct sides of slides, etc.)
- Committee members should include but not be limited to the typical SART team members
- Crime Labs are always involved. They are the ones analyzing the evidence; it is imperative to have them involved in the process
- We also recently released a standardized "Drug Facilitated Sexual Assault Kit" to be used in conjunction with the regular kit when there is suspicion that drugs were used to facilitate the assault
- This company also does DNA kits and suspect kits; they are wonderful to work with
- State funding pays for the kits; they are distributed free of charge to requesting hospitals and law enforcement.

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## **Oregon**

- Oregon developed its own kit
- It is produced and paid for out of the office of State