

**2021 U.S. Bureau of Justice Assistance Sexual Assault Kit Initiative
Subrecipient Contract between Fulton County
and the Georgia Bureau of Investigation**

This **SUBRECIPIENT CONTRACT** (“Contract”) is made by and between **Fulton County, Georgia**, a political subdivision of the State of Georgia (“Fulton County”), by and through the Fulton County District Attorney FCDA (“FCDA”), and Georgia Bureau of Investigation, an agency of the State of Georgia, (hereinafter collectively referred to as the “Parties”).

WHEREAS, The FCDA is the recipient 2021 U.S. Department of Justice’s Bureau of Justice Assistance (BJA) BJA National Sexual Assault Kit Initiative (SAKI) Grant, Grant Award No. 15PBJA-21-GG-04323-SAKI, in the amount of \$2,500,000 (the “Grant”); and

WHEREAS, The Grant was awarded to FCDA on October 1, 2021, by the U.S. Department of Justice (DOJ), Bureau of Justice Assistance (BJA) as memorialized in the attached award letter, narrative and budget (see “Schedule 1”); and

WHEREAS, The Grant Period runs from October 1, 2021 through September 30, 2024, and may be extended in one-year increments by the (DOJ), (BJA); and

WHEREAS, Georgia Bureau of Investigation was a named sub awardee in the Grant; and

WHEREAS, The Georgia Bureau of Investigation (GBI) is an independent, statewide agency that supports the state's criminal justice system in the areas of criminal investigations, forensic laboratory services and computerized criminal justice information; and

WHEREAS, Fulton County desires to engage Subrecipient to render certain services hereinafter described in Schedule 2 which is to be wholly financed by the Grant; and

WHEREAS, Subrecipient desires to render such services in connection with the project as a subrecipient of the Grant in compliance of all obligations required from this designation; and

WHEREAS, the Parties deem it to be in the best interest of both parties to enter this Contract under the terms, obligations and conditions expressed herein.

WHEREAS, this Agreement was approved by the Fulton County Board of Commissioners on April 19, 2023 (Agenda Item 23-0264).

NOW THEREFORE, in consideration of the mutual benefits to both Parties, it is hereby agreed as follows:

ARTICLE I. PURPOSE AND RELATIONSHIP

1. **Purpose**. This Contract describes the way in which the Parties will use The Grant to develop a strategic plan to reduce crime in targeted distressed neighborhoods facing serious and violent crime, that leverages community knowledge and expertise to build public trust with law enforcement, make neighborhoods safer, create collaborative cross-sector approaches that help advance broader neighborhood development and delivery of services to the community.

2. **Independent Contractor.** The relationship of Subrecipient to Fulton County is that of an independent contractor and not of an employee/employer. Neither this Contract, nor any activities described herein, shall be construed as creating a partnership, joint venture, franchise, agency, or other such relationship, and neither Party shall have the right, power, or authority to obligate or bind the other party in any manner whatsoever, without the other party's prior written consent. It is expressly understood that any individual performing services under this Contract on behalf of Subrecipient shall not be deemed to be an employee or independent contractor of Fulton County, and such individual shall not be entitled to tax withholding, workers' compensation, unemployment compensation or any employee benefits, statutory or otherwise, from Fulton County. Subrecipient agrees that it is solely responsible for the reporting and payment of income, social security and other employment taxes due to the proper taxing authorities with respect to such personnel. This provision shall survive the expiration or termination of this Contract.

ARTICLE II. AWARD AND SCOPE OF SERVICES

1. **Term.** This Agreement becomes effective upon approval by the Board of Commissioners of Fulton County, ("Effective Date") Georgia and will remain in effect until September 30, 2024, or through any approved extensions by the DOJ, BJA.
2. **Award.** The Grant funding in the amount of \$705,630.00 ("Award Amount") will be provided by Fulton County to Subrecipient to provide services listed in Schedule 2 from the Effective Date to September 30, 2024, or through any approved extensions by the DOJ, BJA.
3. **Disbursement.** Payment shall be contingent on FCDA receipt of an undisputed invoice, and any reports and substantiation materials required by FCDA. All invoices subsequently submitted to verify services rendered are subject to review and approval by the Finance Department-Accounts Payable Division.
4. **Scope of Services.** Subrecipient will provide the services described in Schedule 2 hereto (the "Scope of Services"). Subrecipient shall spend the Award Amount for the purposes described in Scope of Services unless other direct changes are agreed to in writing in advance by Fulton County. In no event will Fulton County be obligated for providing any funding above the total amount of the Award Amount.

ARTICLE III. REPORTING

1. **Maintenance of Records.** Subrecipient shall maintain a financial management system and financial records and shall administer funds received pursuant to this Contract in accordance with all applicable federal and state requirements. Subrecipient shall adopt such additional financial management procedures as may from time to time be prescribed by Fulton County if required by applicable laws, regulations, or guidelines from its federal and state government funding sources. Subrecipient shall maintain detailed, itemized documentation and records of all income received and expenses incurred pursuant to this Contract.

Subrecipient must maintain all records, books, papers, and other documents related to its performance of the Scope of Services for a period of five years following the termination of this Contract, the end of the 2021 BCJI Grant or such longer period as is necessary for the resolution of any litigation, claim, negotiation, audit, or other inquiry involving this Contract. Such records shall include the full name of individuals served with the Grant funding and where

applicable the date of birth, gender, race, and ethnicity of individual receiving assistance. Subrecipient shall make all records, books, papers, and other documents that relate to this Contract available at all reasonable times for inspection, review, and audit by the authorized representatives of Fulton County and the federal government, if so requested.

During the term of this Contract, the Parties shall comply with Federal and State laws and regulations regarding confidentiality of participant records and information.

2. **Financial Reports.** Subrecipient will submit a quarterly progress report of assistance provided to citizens from the allotment provided by Fulton County within 10 days of the end of each calendar month during the Term of this Contract. This quarterly report shall include: (i) name and address of individual receiving assistance; (ii) type of assistance provided; and (iii) total amount of each type of assistance provided and personnel and consultants employed. The progress report is a performance measurement tool administered to assist with monitoring the program performance and compliance. Fulton County will provide the performance template and due dates to the Subrecipient, and the Subrecipient shall submit the reports electronically. The Subrecipient shall register and maintain an updated profile with SAM.gov. The County reserves the right to impose additional reporting requirements based on the amount and nature of the award by providing these requirements to the Subrecipient in the County's discretion.
3. **Limitations on Expenditures.** Subrecipient shall not be reimbursed or otherwise compensated for any expenditures incurred or services provided prior to the Effective Date or following the earlier of the expiration or termination of this Contract. Fulton County shall only reimburse Subrecipient for documented expenditures incurred during the Contract Terms that are: (i) Reasonable and necessary to carry out the Scope of Services; (ii) documented by contracts or other evidence of liability consistent with established Fulton County and Subrecipient procedures; and (iii) incurred in accordance with all applicable requirements for the expenditure of funds payable under this Contract.

Any item of expenditure by Subrecipient under the terms of this Contract which is found by auditors, investigators, and other authorized representatives of Fulton County or the federal government to be improper, unallowable, in violation of federal or state law or the terms of this Contract, or involving any fraudulent, deceptive, or misleading representations or activities of Subrecipient, shall become Subrecipient's liability, to be paid by Subrecipient from funds other than those provided by Fulton County under this Contract or any other agreements between Fulton County, and Subrecipient. This provision shall survive the expiration or termination of this Contract.

4. **Audited Financial Statements.** If Subrecipient expends \$750,000.00 or more in federal awards during a fiscal year, Subrecipient acknowledges that it must comply with federal audit requirements, including the preparation of an audit by an independent certified public accountant. During the term of this Contract, the Parties shall comply with Federal and State laws and regulations regarding confidentiality of participant records and information. If Subrecipient expends less than \$750,000.00 in federal awards in any fiscal year, it is exempt from federal audit requirements, but its records must be available for review by Fulton County and the federal government. Subrecipient shall provide Fulton County with a copy of Subrecipient's most recent audited financial statements, federal Single Audit report, if applicable, and management letter within thirty (30) days after execution of this Contract and thereafter within nine (9) months following the end of Subrecipient's most recently ended fiscal year.

5. **Survival.** This Article shall survive the expiration or termination of this Contract.

ARTICLE IV. COOPERATION IN MONITORING AND EVALUATION

1. **Fulton County Responsibilities.** Fulton County shall monitor, evaluate, and provide guidance and direction to Subrecipient in the conduct of the Scope of Services performed under this Contract. Fulton County has the responsibility to determine whether Subrecipient has spent funds in accordance with applicable laws, regulations, including the federal audit requirements and agreements and shall monitor the activities of Subrecipient to ensure that Subrecipient has met such requirements. Fulton County may require Subrecipient to take corrective action if deficiencies are found. Methods to ensure compliance for federal awards made to the Subrecipient may include pre-award audits, monitoring during the contract and post-award audits.
2. **Subrecipient Responsibilities.** Subrecipient shall permit Fulton County to carry out monitoring and evaluation activities, including any performance measurement system required by applicable law, regulation, funding sources guidelines or by the terms and conditions of the applicable Notice of Prime Award, and Subrecipient agrees to ensure, to the greatest extent possible, the cooperation of its agents, employees and board members in such monitoring and evaluation efforts. This provision shall survive the expiration or termination of this Contract.

Subrecipient shall cooperate fully with any reviews or audits of the activities under this Contract by authorized representatives of Fulton County or the federal government and Subrecipient agrees to ensure to the extent possible the cooperation of its agents, employees, and board members in any such reviews and audits. This provision shall survive the expiration or termination of this Contract.

ARTICLE V. COMPLIANCE WITH GRANT AGREEMENT AND APPLICABLE LAWS

1. **Compliance with Prime Award and Subaward.** Subrecipient shall perform all activities funded by this Contract in accordance with this Contract, Schedule 2, and the applicable contract provisions for non-federal entity contracts under federal awards required under Appendix II to the Uniform Guidance.
2. **Compliance with Applicable Laws.** Subrecipient shall perform all activities funded by this Contract in accordance with all applicable federal, state, and local laws. The term "federal, state and local laws" as used in this Contract shall mean all applicable statutes, rules, regulations, executive orders, directives, or other laws, including all laws as presently in effect and as may be amended or otherwise altered during the Term, as well as all such laws which may be enacted or otherwise become effective during the Term. By entering this Contract, Subrecipient represents and warrants that it is not in violation of any, and complies with all, federal laws, and regulations applicable to subawardees of federal funds and maintains all required federal, state, and local licenses, certifications, permits and accreditations, including the Uniform Guidance found in 2 C.F.R. 200.

ARTICLE VI. TERMINATION

1. Any Party may terminate this Contract by giving thirty (30) calendar days written notice to the other Party and such termination shall be effective upon the 30th day. Notice of termination shall be given to the appropriate Party at the address shown in Article VII of

this Contract.

2. Anything contained herein to the contrary notwithstanding, Fulton County may terminate the Contract effective immediately prior to expiration of the term where Subrecipient commits a material breach of the Contract and fails to cure said breach within the time allotted by Fulton County.
3. Upon expiration of the term of this Contract or termination of the Contract, the Parties shall agree upon any outstanding present and future obligations and performance commitments to one another and shall arrange for a proper accounting and work plan for all such obligations.

ARTICLE VII. NOTICES

For purposes of this Contract, any notices required to be sent to the Parties shall be hand delivered or mailed to the addresses provided below:

To Fulton County:
Fulton County District Attorney
136 Pryor St SW 3rd Fl
Atlanta, GA 30303

Copy to:
Office of the County Manager
141 Pryor Street, Suite 10062
Atlanta, Georgia 30303

Office of the County Attorney
141 Pryor Street, Suite 4038
Atlanta, Georgia 30303

To Subrecipient:
See Notice Address in Schedule 1.

ARTICLE VIII. GENERAL PROVISIONS

1. If any part of this Contract is found to be invalid or unenforceable, or is otherwise stricken, the rest of this Contract shall remain in full force and effect.
2. This Contract constitutes the entire agreement between the Parties. It supersedes any prior oral understandings between them with respect to the matters addressed herein.
3. This Contract may be modified only by written agreement of the Parties, with such modification being subject to approval by the governing bodies of the Parties.
4. Waiver of any term or condition of this Contract shall be effective only if in writing and shall not be construed as a waiver of any subsequent breach or waiver of the same term or condition, or a waiver of any other term or condition of this Contract. Nothing herein shall constitute or be considered a limitation upon or waiver of the Parties' rights under applicable law.
5. This Contract shall inure to the benefits of and be binding upon the Parties hereto, their

successors and assigns. This Contract is not intended to create any rights interest, or benefits in third parties.

6. This Contract shall be governed by the laws of the State of Georgia.
7. This Contract may be executed in any number of counterparts, each of which when so executed and delivered shall be deemed to be an original without the production of any other counterpart. Any signature delivered via facsimile or other electronic means shall be deemed an original signature hereto.
8. This Contract is not intended to and shall not be construed to give any Third Party any interest or rights (including, without limitation, any Third-Party beneficiary rights) with respect to or in connection with any agreement or provision contained herein or contemplated hereby, except as otherwise expressly provided for in this Contract.

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Schedule 1

Award Letter and Grant Narrative

December 17, 2021

Dear Stacy Jones,

On behalf of Attorney General Merrick B. Garland, it is my pleasure to inform you the Office of Justice Programs (OJP) has approved the application submitted by FULTON, COUNTY OF for an award under the funding opportunity entitled 2021 BJA FY 21 National Sexual Assault Kit Initiative (SAKI). The approved award amount is \$2,500,000.

Review the Award Instrument below carefully and familiarize yourself with all conditions and requirements before accepting your award. The Award Instrument includes the Award Offer (Award Information, Project Information, Financial Information, and Award Conditions) and Award Acceptance.

Please note that award requirements include not only the conditions and limitations set forth in the Award Offer, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. These requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds). Therefore, all key staff should receive the award conditions, the assurances and certifications, and the application as approved by OJP, so that they understand the award requirements. Information on all pertinent award requirements also must be provided to any subrecipient of the award.

Should you accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

To accept the award, the Authorized Representative(s) must accept all parts of the Award Offer in the Justice Grants System (JustGrants), including by executing the required declaration and certification, within 45 days from the award date.

Congratulations, and we look forward to working with you.

Amy Solomon
Principal Deputy Assistant Attorney General

Award Details

Federal Award Date

12/17/21

Award Type

Initial

Award Number

15PBJA-21-GG-04323-SAKI

Federal Award Amount

\$2,500,000.00

Funding Instrument Type

Grant

The Fulton County Government submits this application for the Bureau of Justice Assistance's FY 2021 National Sexual Assault Kit Initiative (SAKI) competitive grant program in support of the Office of the Fulton County District Attorney's SAKI Unit. As a previously funded SAKI site, our ultimate goal for this grant remains the same: to improve investigation and prosecution in connection with evidence and cases resulting from the testing process. To that end, we respectfully request \$1,601,090.00 in grant funding across three years under Purpose Area 1: Comprehensive Approach to Unsubmitted Sexual Assault Kits, competition ID: O-BJA-2021-00084.

Statement of the Problem

While we are encouraged by our progress as a SAKI Unit, our continual work has also revealed several key areas where additional support is greatly needed. There are three significant issues Fulton County has identified. First, our primary law enforcement partner, the Atlanta Police Department, is not currently supported as a part of the Fulton County SAKI project. As the primary agency on the majority of our cases, we need their support and partnership to be formally a part of our SAKI site. Second, the Georgia Bureau of Investigation (GBI), the state crime lab, has identified approximately 2136 additional partially tested kits that may have received a "test". These kits date back to the 1980s up until 1999. Of those kits, GBI is certain 1,846 of those kits belong to Fulton County and they cannot be tested at the lab due to their current work. Of the 1,846 kits, over 1,400 of them have been identified as originating with the Atlanta Police Department. The Georgia SAKI site location, which encompasses the rest of Georgia, all except Fulton County, received funding under the 2020 grant cycle to test some of the kits through private labs. That funding will allow 275 of Fulton's 1,846 kits to be tested, leaving 1,571 kits that still require additional testing. Third, our newly hired data analyst is currently in a 12 month contract position.

The funding for his contract is from the remaining funds of the last year of the SAKI 2018 budget. Mr. Robert Summerill, the data analyst, has become a critical part of our project in two ways. One, he is solely responsible for ViCAP entry and maintenance in our office. Two, as we are seeking to accurately inventory all of the sexual assault kits and cases, particularly as we prepare for an influx of partially tested kit results, we have identified the RedCAP database as an ideal way in which to properly store information. We have identified Mr. Summerill as the individual best suited to be responsible for administrating that database on our behalf. Thus, our goal is to bring Mr. Summerill on full time and permanently on to the grant.

Issue One: The Atlanta Police Department

Violent crime in Fulton County, the largest county in the state of Georgia with a population of more than a million residents (1,075,472), continues to rise. Fulton County is 534 square miles, with 15 municipalities, poverty over 20% in 80 census tractsⁱ, and its largest city, Atlanta, is the capital of Georgia, where rape, aggravated assaults and shootings are all up double-digit percentages.ⁱⁱ The racial break-down of the Fulton County population are approximately 44% Black, 39% White, 7% Asian, 2% two or more races, and 7% Hispanic/Latinoⁱⁱⁱ. Fulton County constitutes the Atlanta Judicial Circuit, Fifth Judicial Administrative District, and is so populous that it contains only Fulton County^{iv}. Together, a large population coupled with a subsequent increase in crime represent a barrier to SAKI cold case work. To continue to advance, Fulton County SAKI needs to bring the Atlanta Police Department (APD) on to the Fulton County SAKI Unit. Currently, there are two SAKI sites in Georgia, one at the Fulton County District Attorney's Office, and the other called Georgia SAKI. The Georgia SAKI site covers the rest of Georgia but does not include Fulton County. Up until 2020, the Atlanta Police Department was a part of the

Atlanta Judicial Circuit | Office of the Fulton County District Attorney
FY'2021 Sexual Assault Kit Initiative (SAKI) Program Narrative

Georgia (GA) SAKI site. They funded one APD detective as part of the project. In fact, APD has been part of the SAKI project in Georgia from its very inception, assisting in identifying kits, finding case files, locating and interviewing victims, and demonstrating their care and commitment to the project and the survivors the project serves.

Initially, in 2017, the Fulton County District Attorney's Office had been part of the GA SAKI project along with the Atlanta Police Department, before realizing that the majority of cases originated in Fulton County. The District Attorney's Office ended that agreement to form its own SAKI site location to better accommodate the processing of the Fulton County SAKs. At that time, the Atlanta Police Department remained with GA SAKI. In 2020, when GA SAKI reapplied for a SAKI grant, they did not include the Atlanta Police Department, as they prioritized other issues. Furthermore, as the Atlanta Police Department is within Fulton County, it is the Fulton County SAKI site that has the greatest need to partner with APD. Once we learned that APD would no longer be part of GA SAKI, we immediately recognized the imperative need to transition APD from the GA SAKI grant to the Fulton County SAKI grant.

Currently, we rely on the Atlanta Police Department for assistance in cold case investigation like: researching extremely old cases, finding old evidence and case reports, finding retired law enforcement officers, and going to cold case scenes. The APD detective previously assigned to GA SAKI assisted GA SAKI in working an unknown offender case in which DNA was connected across jurisdictions, but the suspect was not in the CODIS database. Through long hours and continued partnership, the APD detective was instrumental in solving the case, and that suspect now awaits trial. The case that was tried by our office last year, *State of Georgia v. Dandre Shabazz*, which resulted in conviction was based out of the Atlanta Police Department. When the case was initially identified in 2018 following a CODIS hit, the Atlanta Police Department began

working the case in partnership with the Fulton County District Attorney's Office. It was largely due to our working relationship with the APD that we were able to successfully investigate and prosecute the case. There were 16 DNA hits that were tied to Mr. Shabazz, and thanks to the continual partnership with APD, Mr. Shabazz is now serving twelve consecutive life sentences.

Without the Atlanta Police Department as a strong community partner, our ability to progress with our work would be severely damaged. The majority of the cases that have already been tested and are being investigated belong to the Atlanta Police Department. The vast majority of the partially tested kits that we are preparing to test belong to the Atlanta Police Department. Currently, our two Fulton County District Attorney investigators have to prioritize our current cases, and at the current rate it takes to fully investigate a SAKI case prior to indictment, it will take years to complete this project. With the anticipated influx of 1846 partially tested kit results, the time required to successfully complete this project will greatly increase.

We have been limited in the work that the Atlanta Police Department can do since they are not formerly a part of our grant, and that has hampered and delayed our efforts. However, as they were removed from the GA SAKI project and if they are not subsequently placed on the Fulton SAKI project, the impact to SAKI victims would be two-fold. Already, the Atlanta Police Department's Special Victims Unit is working with half of the usual number of investigators, drastically impacting their ability to work their usual case load. Law enforcement is understaffed and underfunded.^v By the end of 2020, the Atlanta Police Department (APD) reported that staff numbers had fallen to below 2019 levels and as a result, some calls were identified as a lower priority and had to be triaged.^{vi} The APD, organized as they are, cannot answer every call and officers are answering calls of more serious crimes.^{vii} Without the funding for APD Investigators to join the Fulton SAKI Unit, APD simply does not have the resources to provide that investigative

assistance to our unit. Currently, when the GA SAKI investigator cannot assist us, one of the supervising sergeants has attempted to assist the Fulton SAKI site coordinator, but she has often had to speak to him after 10PM at night. This sergeant works the night shift, and has to specifically create time to be able to discuss a SAKI case. While we are deeply grateful to APD for their care for SAKI, this is clearly not a sustainable model for a continued partnership with APD, let alone a model that allows APD detectives to investigate APD SAKI cases.

Issue Two: Funding Testing of Partially Tested Kits

Throughout the years, beginning primarily in the 1980s, sexual assault kits arrived at the Georgia Bureau of Investigation that were not tested. There are a number of reasons for this, including that until the early 2000s, Georgia was not fully part of the CODIS database. Thus, the GBI would only test sexual assault kits when there was a known suspect, rather than an unknown suspect. Additionally, due to limited resources, if a law enforcement agency did not follow up with the GBI and ensure that testing took place, the GBI would prioritize testing of kits in which there was an active investigation. Additionally, there was limited technology, which impacted the ability of the GBI to test kits. Thankfully, even with the challenges at that time, GBI officials did continue to house the kits, rather than dispose of them.

In the last several years, the GBI began a monumental effort to inventory all of these kits and determine what kits were eligible for testing. Initially, the GBI began with 13,000 kits to inventory, and through the past several years, inventoried and categorized them all. Now, there are approximately 2136 kits that require testing, which we are calling the pre-1999 Project, and which GBI does not have the capacity to test. GA SAKI received funding last year to begin testing some of these kits through private labs. However, as GA SAKI must prioritize non-Fulton kits, they have only committed to testing 275 of the Fulton kits, leaving 1,571 kits still to be tested. This is a

daunting task, but the Fulton County District Attorney's Office is committed to ensuring these kits are tested and the survivors receive justice. We intend not only to test these kits, but also for those kits that return DNA results, we are committed to investigating and prosecuting.

Issue Three: Ensuring ViCAP Compliance and Proper Inventorying Through Maintaining Full-Time Data Analyst

The last year of the 2018 SAKI award, we had enough funds left to hire a data analyst for 12 months to oversee our compliance with ViCAP and to assist with any data needs we might have. We hired Mr. Robert Summerill and he began working for us a few months ago. He immediately sought out ViCAP training and has quickly become adept at ViCAP. His attention to detail is extraordinary, and his passion for the work is impressive. He is committed to the overall SAKI mission, and has become an integral team member, not only ensuring our ViCAP compliance, but dedicating himself to ensure our ViCAP case entries are excellent and that we can best serve agencies across the nation. He has consistently done additional research on each case eligible for ViCAP entry to determine if there are any other jurisdictions, particularly out of state, for which we should alert the FBI to inform those other jurisdictions. Our ability to continue to remain compliant with ViCAP and ensure that our contributions to ViCAP meet the highest standard would be severely impacted if we are not able to continue to fund his salary position as a member of Fulton SAKI.

Project Design and Implementation, including goals, objectives, activities, and deliverables

Objectives

- Fully investigate Atlanta Police Department cases with two APD detectives;
- Test 1846 Fulton partially tested kits, specifically funding 1541 of those kits to be tested through private labs;
- Ensure ViCAP compliance and efficient database management through hiring our current 12-month contractor as a full-time data analyst.

Atlanta Judicial Circuit | Office of the Fulton County District Attorney
 FY'2021 Sexual Assault Kit Initiative (SAKI) Program Narrative

In 2020, the Office of the Fulton County District Attorney once again applied and was awarded the National Sexual Assault Kit Initiative (SAKI) grant funding by the Bureau of Justice under Purpose Area 1. That grant has allowed the Fulton County District Attorney's Office to staff a task force that is aggressively tackling the SAKI project. To apply what we have learned and to meet our aforementioned goals, we will implement the three essential elements of the BJA National Response Model.

Goals	Objectives	Activities	Deliverables
To timely investigate, indict, and prosecute remaining SAKI cases	Fully investigate Atlanta Police Department cases with two APD detectives formerly added to Fulton SAKI	1.Advertise positions of detectives working at APD 2.Interview Candidates 3.Incorporate into SAKI team	1.Increased percentages of investigated cases
Shift the priorities of criminal justice to improve response to sexual assault and become victim centered	Test 1846 Fulton partially tested kits, specifically funding 1541 of those kits to be tested through private labs	4. Ensure receipt of proper investigative assistance and assurance that all sexual assault test kits are processed promptly now and in the future 5.Develop a comprehensive strategy to address the backlog and provide uniform assistance to all agencies	2.Cross-disciplinary training materials from each member 3. Victim Advocacy resources shared with members 4. Identify processes that prioritize investigation and adjudication of SAKI cases
Prevent backlog of unsubmitted SAKs from recurring	Site Coordinator will hold all entities accountable and institutionalize systems, policies, and protocols of working group	6.Define project goals 7.Establish team support including that of GBI labs 8.Coordinate communication among team	5.Working group policies to prevent problems of unsubmitted SAKs

Atlanta Judicial Circuit | Office of the Fulton County District Attorney
FY'2021 Sexual Assault Kit Initiative (SAKI) Program Narrative

Inventory and Tracking. The pre-1999 Project are SAKs between the 1980s until 1999 which are considered partially tested. Of those kits, 1,846 of those kits belong to Fulton County and over 1,400 of them originated with the Atlanta Police Department. 1,571 kits require testing which is not yet funded. The Fulton County District Attorney's SAKI Taskforce will track all of these cases and provide all relevant reports. We will not prioritize testing, unless we are aware of a statute of limitations issue, we will test the kits at random, rather than trying to determine "importance" of kits, as that could lead to significant DNA results not being processed. However, we are in the process of researching the status of the kits and possible connected victims to ensure a more efficient process as we receive results. When GBI receives a CODIS match that falls within Fulton County's jurisdiction, GBI contacts Fulton County's SAKI Taskforce. We create a physical file and add to Odyssey or indicate in Odyssey that defendant is SAKI. With this grant funding, the Fulton County District Attorney's Office will expand its tracking protocols and add the salary and benefits of Records Examiner/Analyst position. This Records Examiner/Analyst will focus on data entered into Violent Criminal Apprehension Program (ViCAP) thereby increasing the odds of FBI identification of violent serial offenders and enhancing the detail of tracking. Furthermore, in our continued pursuit to ensure we have properly inventoried kits and keep track of all our SAKI cases in general, we have identified

Three essential elements of BJA model are:

1. Inventory all unsubmitted SAKs in the jurisdiction's possession and track their progress from testing through final adjudication
2. Designate a site coordinator who will serve as the central point of contact for the SAKI team with the full support of the lead agency.
3. Create a multidisciplinary working group that convenes regularly to address and identify the individual, organizational, and systemic factors that lead to high numbers of unsubmitted SAKs in the jurisdiction.

RedCAP as the ideal database to serve our needs. GA SAKI is on track to begin using RedCAP in the Fall of 2021, and we have begun talks to be part of that. However, we will need to maintain our data separately, appropriately inputting the data and tagging it to ensure the GA SAKI and Fulton SAKI cases are identified. While using GA SAKI's RedCAP database alleviates some funding needs, CJCC has asked that we have funds available to contribute to IT support. We will need our own administrator responsible for our data.

Site Coordinator. Julianna Peterson, an ADA for the Fulton County District Attorney's Office, will continue to serve as the Fulton County District Attorney's SAKI Taskforce Site coordinator and will operate with the full support of the lead agency – the Fulton County District Attorney's Office and the newly elected District Attorney, Fani Willis,

As site coordinator, Ms. Peterson, who began with the Fulton County SAKI Task Force in June of 2019, will coordinate all SAKI initiatives with the most central agencies and community organizations concerning criminal justice services surrounding sexual assault in Georgia's most populous area. While coordinating, she will use a victim-centered and trauma informed approach, according to the "National Best Practices for Sexual Assault Kits: A Multidisciplinary Approach".^{viii} Working with SAKI cases is not easy, and being the Site Coordinator has many challenges, but Ms. Peterson is well suited for the job. Now that she has a full team of experts, with a second Victim Advocate, she can ensure that every SAKI victim is informed, assisted, and treated with the utmost respect during the investigation and prosecution of her SAKI case.

Multidisciplinary Working Group. Additionally, in 2021, delayed by Covid-19, we have officially established the SAKI Fulton County Multidisciplinary Team that meets monthly. The MDT includes local enforcement agencies, the state crime lab, and Grady Hospital which houses

the county rape crisis center. We have already identified additional community partners and law enforcement agencies to join the MDT as we continue to encourage partnerships across the county. Already, the MDT has been able to identify issues in the county and at the local hospital that could cause issues down the road for efficient testing of sexual assault kits, and brainstormed ways to counter those issues. The impact of BJA grant funding and the fulfillment of the second and third elements of the BJA model will improve the criminal justice response to sexual assault and prevent this problem of a backlog of unsubmitted SAKs from recurring. The Fulton County District Attorney's Office recognizes that SAKI prosecutions increase sexual assault deterrence in Fulton County. Law enforcement agencies, Testing Laboratories, and Victim Advocacy organizations know that by holding perpetrators accountable we help victims of sexual assault heal and move forward productively with their lives. It is that common mission which is the foundation of the Fulton County SAKI Multidisciplinary Working group. Key team members for the multidisciplinary working group include Grady Health System, Georgia Bureau of Investigation, and the Atlanta Police Department. Grady is not only a vital partner because they are the largest public hospital in the state of Georgia and house Atlanta's Rape Crises Center, but also because they stored the original SAKs. Fulton County is represented by twenty-one (21) police departments in fifteen (15) different cities, to include the Atlanta Police Department and large college campuses and a transit system. We will need representation from all Fulton County law enforcement agencies and a representative from the Georgia Bureau of Investigation. The Atlanta Police Department is another vital partner as the majority of assaults fall within their jurisdiction. We will need representation from victim service agencies to include LiveSafe and essential to the working group are the voices of victims, who are often underserved and from

Atlanta Judicial Circuit | Office of the Fulton County District Attorney
FY'2021 Sexual Assault Kit Initiative (SAKI) Program Narrative

vulnerable populations. Julianna Peterson, who has built many relationships with these stakeholders, is a great asset as the central point of contact for the working group.

The organizational structure of the Fulton County SAKI Multidisciplinary Working group consists of a policy and direction committee and an operations committee. The policy and direction committee will establish policy and set the direction consistent with the missions and goals stated herein. They shall formalize relations among participating agencies, establish policy,

provide guidance, and create a cooperative unit capable of addressing the most pressing problems facing Fulton County's unsubmitted SAK challenges. The operations committee will be accountable to the policy and direction committee for implementing their directives. Different cities in Fulton County face different challenges, like different levels of poverty, access to services, and size of population. The

Fulton County Municipality	Total Population (2018)
Alpharetta	64,672
Atlanta	479,655
Chattahoochee Hills	2,867
College Park	15,212
East Point	34,977
Fairburn	14,708
Hapeville	6,581
Johns Creek	83,637
Milton	38,171
Mountain Park	568
Palmetto	4,715
Roswell	94,257
Sandy Springs	105,411
South Fulton	93,568
Union City	20,960
TOTAL	1,059,959

primary responsibility of the operations committee is to provide guidance based on operational areas. It will be the goal of the participating agencies to maximum coordination and cooperation in bringing to bear their combined resources throughout this effort.

Additional Staff Necessary for Timely Investigation and Prosecution. In addition to adding a Records Examiner/Analyst to the SAKI team, we added a second Victim Advocate to guarantee an advocate is always available to support victims and to strengthen victim advocacy

resources; a Legal Assistant to assist with discovery and investigations; two additional ADAs to ensure timely prosecution; and a second Investigator to address the complex legal concerns posed by the re-opening of cold cases, some almost two decades old. This increase in staff has allowed the Fulton County Taskforce to timely resolve cases, investigate, indict, and prosecute the remaining DNA match cases and with the addition of APD detectives, the new cases, within the next four years.

Capabilities and Competencies

The Fulton County District Attorney's Office has successfully led a SAKI Taskforce for three years. Julianna Peterson has been lead prosecutor with SAKI since June of 2019. Julianna Peterson, led the SAKI Unit's successful prosecution of Dandre Shabazz - a serial rapist who sexually assaulted 15 women at gunpoint between 2001 and 2005. The Fulton County SAKI Taskforce located and informed the 12 victims, gathered all evidence, indicted, and prosecuted the case. On March 3, 2020, Dandre Shabazz was sentenced to twelve consecutive life sentences. As SAKI Site Coordinator, Julianna Peterson, a committed leader, and team builder facilitated a working group of experts in the field and obtain formalized support from all Fulton agencies, especially police. Prosecutor Katherine David and Christina Robinson are very experienced at prosecuting crimes against women and eager to join Julianna Peterson with SAKI.

Working with sex assault victims is tough work. In one qualitative study, they found, "Staff burnout was a major barrier affecting advocates' ability to help survivors." (Ulman & Townsend)^{ix} The Fulton County SAKI Taskforce has been impacted by staff turnover in the past and Covid 19 most recently. Fulton County DA investigators and prosecutors are working as a team to address each case. The SAKI Taskforce continues is supported by Investigators, James

Spear and Jaime Gore. Their expertise in conducting Search Warrants relating to DNA (Buccal Swabs/Hair Samples, etc...), physical locations, cell phones, phone records, cell phone tower data, social media profiles; and his experience with GBI-Georgia Bureau of Investigations-Scientists/Case Originating Police Departments, in relation to the status of evidence for determining which investigative tests need to be completed.

Sr. Advocate Millicent Taylor and Advocate Meesun Thongkoth supports victims from interview through the prosecutorial process. They follow victim notification protocol for informing victims, developed by The Fulton County SAKI Taskforce. Our victim witness advocates have been making contact with survivors, researching resources available to them locally, and walking alongside survivors that need tremendous support. Charly Hardnett has joined SAKI as Legal Assistant.

Our data analyst who only recently came on to the project has already made significant progress in submitting cases to ViCAP. Mr. Summerill received his Masters in Social Work with a concentration in Administration from Florida State University, and is currently pursuing his Ph.D in Policy Studies. Thus, since Mr. Summerill's current work and past experience have made him an integral part of the Fulton SAKI team Mr. Summerill has already been part of the RedCAP discussions from the start, helping identify our needs and technological capacities. Indeed, Mr. Summerill previously administered an Access database that tracked the Victim Advocate program at Florida State University, and specifically tracked all the students and services the program saw, and generated reports based on that information.

Our crime analyst, Kirsten Williams, has been eagerly assisting investigators in creating suspect profiles, researching case information and ensuring investigators have the support they need to tackle cases.

Plan for Collecting the Data

The Fulton County SAKI Task Force's performance will be tracked and measured by the SAKI Site Coordinator, Prosecutor Julianna Peterson. Weekly meetings center around monthly excel reports tracking updates for each case. The Records Examiner/Analyst will take the lead from the Investigators in entering data in ViCAP (Violent Criminal Apprehension Program) to increase the chances of FBI identification of violent serial offenders.

Michele Henry, Grants Manager will work in coordination with the SAKI Task Force to provide the formal periodic updates both quantitative/qualitative as outlined in the BJA SAKI Performance Measures document and entered in the PMT at <https://bjapmt.ojp.gov>, as she has with the previous SAKI grant funding. The overall performance will be measured against the project timeline included in the attachments. The timeline will be reviewed and updated, at periodic intervals adjusting for the unexpected nature of criminal justice proceeding's, (i.e., pleas, mistrial, or priority "serial offender" hits). In addition to questions required by the Performance Measures document, other performance indicators internal to our project will measure, at minimum, the following objectives:

- # of indicted cases (reported quarterly)
- # of open cases (reported monthly)
- # of resolved cases (reported quarterly)
- # of services offered (by type) by our Victim Advocates (reported monthly)
- # of meetings and meeting hours held by our Fulton County SAKI Working Group (reported quarterly)
- # of new or updated sexual assault protocols and/or criminal justice policies (reported annually)
- # of website hits on our SAKI Public Information website (reported monthly)

In addition to excel spreadsheets, our office uses a criminal justice partner data and information management solution called, "Odyssey" by Tyler Technologies. Odyssey serves as a comprehensive database for all cases. Tyler Technologies is a leading provider of end-to-end

Atlanta Judicial Circuit | Office of the Fulton County District Attorney
FY'2021 Sexual Assault Kit Initiative (SAKI) Program Narrative

information management solutions and services for local governments. Our office uses a criminal justice data and information management solution called, “Odyssey” by Tyler Technologies. Tyler Technologies is a leading provider of end-to-end information management solutions and services for local governments. Odyssey tracks case information from the beginning of the prosecutorial process to resolution and then serves as an electronic archive recordkeeping service. Odyssey is fully integrated into our work and is used by our Victim Advocates to track service delivery, referrals, and to make notes regarding legal advocacy. Statistical reports and targeted metric reports are tracked in real-time as a service is rendered or as a case makes its way through our office.

ⁱ Fulton County map of High-Poverty census tracts

ⁱⁱ <https://www.wsbtv.com/news/local/atlanta/atlanta-mayor-address-citys-crime-crisis-following-violent-weekend-that-left-22-shot-4-dead/V7U5MO5GLFDWXFGNOKDXVH5TPQ/>

ⁱⁱⁱ <https://censusreporter.org/profiles/05000US13121-fulton-county-ga/>

^{iv} <https://www.fultoncourt.org/about/about.php>

^v <https://www.usatoday.com/story/money/2020/06/26/how-much-money-goes-to-police-departments-in-americas-largest-cities/112004904/>

^{vi} <https://www.11alive.com/article/news/local/atlanta-police-numbers-2020/85-a54ace87-bed2-4d41-87b1-150a9b877672>

^{vii} https://www.cbs46.com/news/understaffed-atlanta-police-department-to-ease-up-on-certain-crimes/article_59f5f65a-25d8-55ed-b955-0e8f28bc7e28.html

^{viii} <https://www.ncjrs.gov/pdffiles1/nij/250384.pdf>

^{ix} Barriers to Working With Sexual Assault Survivors: A Qualitative Study Sarah E. Ullman and Stephanie M. Townsend

Schedule 2

Name of Subrecipient: Georgia Bureau of Investigation

Subrecipient's DUNS Number: 879976215

Subrecipient's UIE Number:

Subrecipients EIN Number:

**Notice Address: 3121 Panthersville Road
Decatur, GA 30034**

Award Amount: \$705,630.00

Description of Scope of Work:

Through the Grant, GBI to process and prepare the all the pre-1999 sexual assault kits for testing at the private labs that have been found to meet the scientific policies and procedures of the GBI, fund the testing at those labs, and then receive the sexual assault kits back, review and approve the results and upload those results in to CODIS.

IN WITNESS WHEREOF, the Parties have set their hands and affixed their seals this, the

17th day of July, 2023

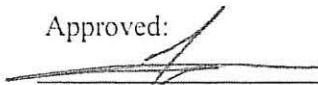
FULTON COUNTY, GEORGIA

SUBRECIPIENT: Georgia Bureau of Investigation

Approved:


Robert L. Pitts, Chairman
Fulton County Board of Commissioners

Approved:

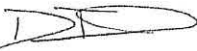

Michael J. Register
GBI Director

Attest:


Tonya R. Grier
Clerk to the Commission



Approved as to Content:


Dexter Bond, Director
Fulton County District Attorney,

Approved as to Form:
Office of the County Attorney


Brad Bowman

Please select RCS or RM from the checkbox

ITEM#: <u>23-0264</u> RCS: <input checked="" type="checkbox"/>	ITEM#: _____ RM: <input type="checkbox"/>
RECESS MEETING <u>4/19/2023</u>	REGULAR MEETING