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

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. 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. The APD, organized as they are, cannot answer every call and officers are answering calls of more serious crimes. 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.

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	I.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

<u>Inventory and Tracking</u>. 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

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.

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

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 Futon 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". Will 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

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 preceding'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:

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# of indicted cases (reported quarterly)
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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

[#] 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)

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