



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security
One Ashburton Place, Room 2133
Boston, Massachusetts 02108

Tel: (617) 727-7775
TTY Tel: (617) 727-6618
Fax: (617) 727-4764
www.mass.gov/eops

CHARLES D. BAKER
Governor

KARYN E. POLITO
Lt. Governor

DANIEL BENNETT
Secretary

Sexual Assault Evidence Kit Tracking System Task Force

Executive Office of Public Safety and Security
One Ashburton Place, Room 2133
Boston, MA 02108
November 7, 2018

Meeting Minutes

Members Attending: Undersecretary Matt Moran (Chair), Executive Office of Public Safety and Security (EOPSS); Lindy Aldrich, Victim Rights Law Center; Michelle Bowdler; Maureen Gallagher, Jane Doe, Inc.; Liam Lowney, Massachusetts Office for Victim Assistance; Erica Neu, Boston Police Department Crime Laboratory; Janice Peters, Massachusetts Hospitals Association; Katia Santiago-Taylor, Boston Area Rape Crisis Center; Joan Sham, MA Sexual Assault Nurse Examiner (SANE) Program; Jennifer Sprague, Plymouth County District Attorney's Office; Kristen Sullivan, Massachusetts State Police Crime Laboratory;

Others Attending: Doug Levine, EOPSS; Samantha Frongillo, EOPSS; Lisa Sampson, EOPSS; Michael Bishop, EOPSS; Jenny Barron, EOPSS; James Slater, Department of Criminal Justice Information Services; Katie Alford, Department of Public Health; Stephanie McCarthy, Massachusetts Office for Victim Assistance;

The meeting was called to order at 10:02am.

A motion was made by Liam Lowney and seconded by Jennifer Sprague to approve the Task Force's October meeting minutes. The motion passed unanimously.

A short discussion transpired about funding for the tracking system and the likelihood that the tracking system would be based within EOPSS.

The members then continued the discussion from the October meeting regarding recommendations for inclusion in a statewide tracking system.

Joan Sham from the Massachusetts SANE Program discussed several recommendations, including:

- Consider possibility that hospitals should own relevant equipment
- How do we handle out of state kits?
- Hospitals will continue to have role in evidence collection and custody
- Ensure that pediatric SANEs also have access to any tracking system equipment
- Be cognizant of kits assigned for training (i.e., ensuring they're not counted within the universe of actual kits)

Janice Peters from the Massachusetts Hospitals Association raised several points for consideration, including:

- Determine best way to track custody of kits, including possibility of a tracking log
- Considerations inherent in utilizing an electronic barcode system
- Concern about scanning tools being lost or misplaced, so an options should be included to be able to manually enter information
- Technicians, registered nurses, and emergency department personnel could all potentially access tracking system. Need permission levels.
- Hospitals would need to be able to shut down access for own staff
- Patients should be able to track own kits
- Alert process to notify police department that kit is completed
- Technical support should be accessible 24 hours per day / 7 days per week to provide non-business hours assistance

Lindy Aldrich from the Victim Rights Law Center brought several issues to the table for inclusion in the statewide tracking system, including:

- Considerations surrounding mobile access to be able to track kits
- Considerations around disabilities including intellectual and developmental disabilities (IDD), involving, among other things, caretakers and privacy implications
- Extra verification requirement if kit number is lost
- Considerations involving what defense attorneys will have access to, and what will be admissible at trial
- Which agency is responsible for maintaining any metadata?

A short discussion ensued about SAEK evidence and protections under the federal HIPAA statute.

The task force then discussed whether the tracking system should include provision of information to a survivor regarding when the serology phase of testing was completed and then when the DNA phase of testing was completed.

- The option to inform the survivor that a test was “in progress” or “complete (i.e., results forwarded to investigator)” was discussed
- Another option was to denote a kit had “arrived at Crime Lab”, was then “assigned” and then “completed”.
- It was noted that once the State Police Crime Lab was at full staff, which is an ongoing process, the testing of a majority of kits would be completed within 30 days

Next Steps for Task Force:

- Vendor demonstrations of their products
- Utilize December 5, 2018 date and extend time period of meeting if necessary
- Will send Doodle poll for week of December 10th for review of recs and discussion of demos
- Submit set of recommendations to the Secretary of Public Safety to help inform how EOPSS will procure a tracking system

A short presentation was offered by personnel from the Office of Grants and Research regarding limited data related to provider sexual crime reporting forms (PSCR).

The meeting concluded and Liam Lowney moved to adjourn and Kristen Sullivan seconded. The motion passed unanimously.

Adjourned 11:31am

The next meeting will be held at EOPSS on Wednesday, December 5, 2018, at 10:00am.