



MEMORANDUM

TO: Law Enforcement/Service Providers

FROM: Commissioner Denise E. O'Donnell, DCJS

DATE: October 27, 2008

SUBJECT: NYS Sexual Offense Evidence Collection Kit

*****Please ensure this message reaches the appropriate person in your organization.*****

Two decades have passed since the creation of the standardized Sexual Offense Evidence Collection Kit ("rape kit"). The New York State Division of Criminal Justice Services, health care providers, law enforcement and victim advocates agreed it was time to reconfigure the kit to better serve victims of sexual assault, provide a better tool for practitioners collecting forensic evidence, and to more easily facilitate processing of the kits by New York State labs. I am pleased to announce the release of the new kit.

For almost two years, staff of the Violence Against Women Unit worked with sexual assault nurse examiners, physicians, the New York State Police Lab, the New York City Medical Examiner's Office, local labs, prosecutors, rape crisis advocates, the New York State Coalition Against Sexual Assault, the New York City Alliance Against Sexual Assault, the state Department of Health, the New York State Crime Victims Board, and the vendor of the kits, PWI Industries, to completely overhaul the current kit.

The new kit is designed to reflect the latest technology and sexual assault examination techniques, while remaining intuitive for hospitals that may not have specifically trained sexual assault examiners at their immediate disposal. One hundred kits were tested by hospitals, and the comments were uniformly positive.

A few reminders:

- In this fiscal climate, we cannot afford to squander any resources. Rape kits are costly, so please exhaust your supply of the "old" version before switching to the new.

- With the advances in DNA collection, DNA may well be found even beyond 96 hours. If in doubt, please collect a kit from a sexual assaulted victim.
- If a victim signs a consent form releasing the kit to local law enforcement, **it is the law enforcement agency's responsibility to bring the kit to the lab for processing. Please be sure to submit kits to a laboratory regardless of whether there is a suspect.**

If you have questions on the kit, please contact Kim Oppelt or Kelly Student in the DCJS Violence Against Women Unit at 518-457-9726.