

Research and case experience supports the value of examining previously unsubmitted or partially tested SAKs, even when the suspect has been convicted.

The Value of CODIS Hits

SAKI is requesting case files or conducting case reviews to determine: priority for submitting SAKs for testing; CODIS and/or ViCAP eligibility; potential for further investigation.

John Doe Warrants

When DNA evidence cannot be matched to a known individual, a John Doe warrant can identify the suspect by their unique DNA profile. This warrant tolls the statute of limitations, allowing the investigation to continue.

Advances in DNA Testing

New technology can provide new leads.

Cases may be linked to identify serial offenders.

Cases may be eligible for Forensic Investigative Genetic Genealogy

Survivors

Survivor-centered and trauma informed approaches may promote survivor willingness to participate in the investigation and prosecution.

Wrongful Convictions

Wrongful convictions can be overturned when DNA testing shows the convicted person was not the assailant. When the wrong person is convicted, the true assailant walks free and could commit other crimes.

Even if it appears nothing can be done with the case, testing the SAK and any subsequent CODIS hit can be used for:

- Determining if statute of limitations may be suspended/tolled once the suspect is identified;
- Civil commitments under state sexual predator laws;
- Evidence of prior bad acts for future prosecutions involving that suspect;
- Relevant information for the sentencing phase (relating to the defendant's character);
- Information for parole board hearings; and
- Possible closure for the victim.
- May solve other prosecutable cases within SOL.

The Statute of Limitations has changed, so some cases can still be prosecuted.

[45-1-205, MCA](#)

ViCAP

Eligible cases are entered into the FBI's Violent Criminal Apprehension Program. This can help link cases from other jurisdictions. Eligible cases include homicides, sexual assaults, missing persons, and unidentified human remains.

<https://www.fbi.gov/wanted/vicap>

This project was supported by Grant No. 15PBJA-23-GG-02268-SAKI awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

Resource: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice: *National Best Practices for Sexual Assault Kits: A Multidisciplinary Approach*