

GENETIC  
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# DNA Knowledge among Victim Service Providers

CODIS DATABASE  
DNA SEXUAL ABUSE  
JUSTICE ACT  
TESTING BACKLOG  
DEBBIE SMITH ACT  
COLD HITS  
OFFENDER INDEX  
EXONERATIONS  
VINE  
STATUTES OF  
LIMITATIONS  
JOHN DOE WARRANTS

**Results of  
an Online  
Survey and a  
Multidisciplinary  
Focus Group**

THE NATIONAL CENTER FOR  
**Victims of Crime**

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- Delivers training and technical assistance to victim service organizations, counselors, attorneys, criminal justice agencies, and allied professionals serving victims of crime; and
- Fosters cutting-edge thinking about the impact of crime and the ways each of us can help victims of crime rebuild their lives.

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**Ilse Knecht  
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MARCH 2008**

# Acknowledgements

*DNA Knowledge among Victim Service Providers* is the result of the efforts and contributions of many people. The National Center for Victims of Crime would first like to acknowledge the victim advocates, medical professionals, prosecutors, and law enforcement officers who took our survey and participated in our focus group. Their responses and insights are the basis of this report.

We would like to thank Applied Biosystems, a leader in DNA technology, and in particular, Lisa Lane Schade, director of global marketing, whose support made this project possible. We would also like to acknowledge Chris Asplen, vice president, and Lisa Hurst, consultant, of Gordon Thomas Honeywell Governmental Affairs, and Kim Herd, for their contributions to the development of the survey and focus group questions.

A team of staff members from the National Center for Victims of Crime provided a wide range of expertise to the research project and the production of this report: Michael Kaiser, director of program development and strategic alliances, facilitated the focus group and provided feedback throughout the project. The efforts of Elizabeth Joyce, senior writer; Mary Rappaport, director of communications; and Kristi Rocap, editor/designer, improved the quality of this publication. Mary Lou Leary, the National Center's executive director, provided direction and feedback throughout this project.

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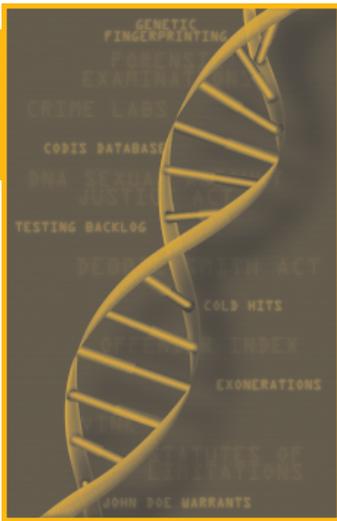
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# Introduction

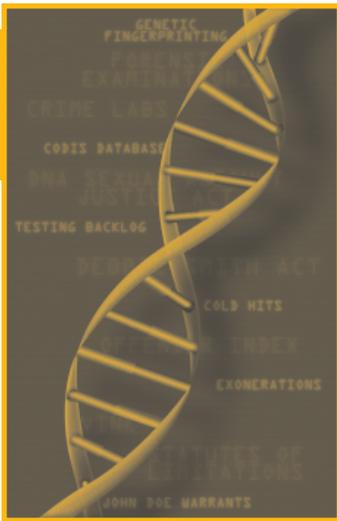
Recent advances in DNA technology hold great promise for securing the arrest and conviction of offenders and improving the criminal justice response to all cases involving biological evidence. These advances are important to victims of crime and the professionals who serve them. However, victims and victim service providers—as well as law enforcement and other criminal justice professionals—often lack accurate information about DNA and its uses. As part of a two-year initiative funded by Applied Biosystems, a leader in forensic DNA technologies, to address these challenges, the National Center for Victims of Crime conducted a national online survey in February 2007 and a multidisciplinary focus group in June 2007 to explore how professionals in the victim services field understand and use information related to DNA and its use as evidence in criminal cases.

The survey and focus group asked respondents about their experience with cases involving DNA evidence; knowledge about DNA evidence, profiles, and databases; sources of information about DNA; concerns about the use of DNA in criminal trials; assessment of the adequacy of DNA information conveyed to victims; and perceptions about their own and colleagues' need for training on DNA.

Both the survey and focus group yielded important insights about victim service providers and DNA. The majority of survey respondents had recently worked with cases involving DNA, and three-quarters said they considered DNA relevant to their daily work, yet misconceptions abounded—particularly about the types of information contained in DNA profiles and the criteria that determine whose profiles are stored in state DNA databases. Respondents also reported that sometimes they could not answer victims' questions about DNA or find written materials to provide to victims. Overall, both the survey and focus group revealed a great need to provide the victim

## 2 • DNA Knowledge among Victim Service Providers

services field with accurate and timely information about DNA and its use as evidence. Participants said that in-person training, written materials, and electronic updates of new developments were all important ways of improving their own and their colleagues' response to victims in cases with DNA evidence.



# ONLINE SURVEY

## Methodology

The National Center for Victims of Crime designed a survey with input from prosecutors, victim advocates, and forensic scientists, and made it available through the online tool Survey Monkey. To recruit respondents, we e-mailed an announcement to our membership base (1,305 members) and agencies in our Service Referral Database (6,045). To recruit additional victim-serving respondents, we posted links to the survey on national victim-related listservs. We informed those who accessed the survey that the results would be used to create new educational materials on DNA for victim-serving professionals. The survey remained open for three weeks. A total of 1,191 respondents (all those who clicked on the survey link) accessed the survey, although not everyone who entered the survey answered every question. The majority of questions, however, were answered by more than 750 respondents.

## Respondents

Survey respondents came from a variety of victim-serving agencies: the four most common were domestic violence agencies, prosecutor’s offices, domestic violence-sexual assault agencies, and sexual assault agencies. (See

**Table 1: Survey Respondents’ Agency Type**

Agency Type	Percentage of Respondents
Domestic Violence Agency	17%
Prosecutor’s Office	16%
Domestic Violence and Sexual Assault Agency	15%
Sexual Assault Agency	12%
Nonprofit Serving Homicide Survivors	8%
Law Enforcement Agency	7%
Nonprofit Serving Child Victims	6%
General Victim Services Agency	5%
Corrections, Probation, Parole	3%
Other System-Based Agency	3%
Nonprofit Serving Elder Victims	2%
Law Office	<1%
Nonprofit Serving Drunk-Driving Victims	<1%

**Figure 1: Respondents' Geographical Setting**

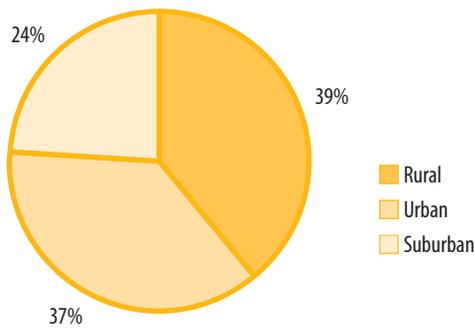


Table 1.) Roughly equal numbers of rural and urban professionals answered the survey (39% and 37%, respectively) with the remainder (24%) working in suburban areas, as shown in Figure 1.

Survey respondents were asked to identify their primary job function. More than half listed victim advocacy as their main role, followed by policy/administration, counseling, and education/outreach. Smaller numbers of respondents worked as law enforcement officers, prosecutors, or attorneys. (See Table 2.)

Overall, the respondents were an experienced group of victim service providers, the majority possessing more than five years of experience, and 36% having ten or more years in the field. (See Table 3.)

**Table 2: Survey Respondents' Primary Job Function**

Primary Job Function	Percentage of Respondents
Victim Advocacy	54%
Policy or Administration	13%
Counseling	8%
Education and Outreach	6%
Law Enforcement	3%
Prosecution	3%
Civil Litigation/Representation of Crime Victims	1%

**Table 3: Survey Respondents' Years of Experience**

Years of Experience	Percentage of Respondents
More than 10	36%
6 to 10	25%
3 to 5	20%
2 or less	14%

## Cases with DNA Evidence

A large majority of respondents (77%) said DNA is somewhat or very relevant to their daily work. Indeed, 61% reported having worked on a case during the past two years that involved DNA evidence. Of those who had at least one case in the previous two years, the highest number of respondents (375, or 51%) reported having worked on sexual assault cases. The lowest number (36, or 5%) reported having worked on stalking or theft cases involving DNA evidence. (See Figure 2.)

## Role of Person Informing Victim about DNA

Respondents were asked to identify, in cases they had managed, the role of the professional who was usually responsible for providing information about DNA to victims. Roughly equal percentages of professionals—prosecutors (26%), victim advocates (25%), law

The more I learn about DNA, the better I can serve the community.

—Survey respondent

enforcement officers (23%), and medical personnel (19%)—were responsible for providing DNA information to victims. (See Figure 3.) Professionals in the “other” category included child protective services employees, therapists, and forensic interviewers. The wide range of professionals performing this role highlights the importance of distributing the latest information about DNA and its use in criminal trials to all agencies that work with victims.

**Figure 2: Types of Cases Involving DNA Evidence**

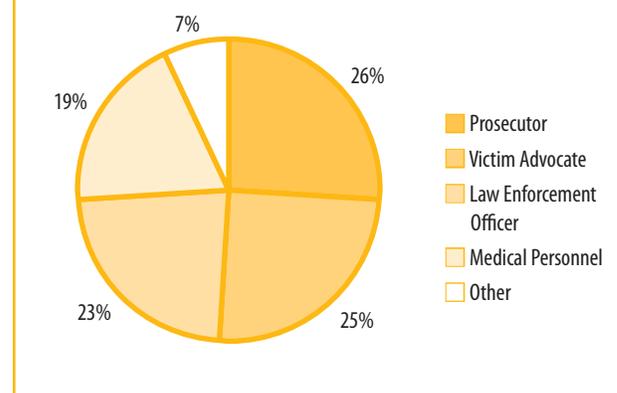


## Respondents' Knowledge about DNA Evidence, Profiles, and Databases

The survey asked a series of questions to measure respondents' level of understanding about the nature and use of DNA evidence. Most respondents had a firm grasp of DNA evidence basics (e.g., where DNA evidence might be found at a crime scene, such as the victim's body or clothing). However, a majority of respondents also had some misconceptions about which DNA profiles generated from crime-scene evidence are ultimately stored in state databases.

In addition to collecting DNA evidence from the crime scene, investigators take what is known as “reference” or “elimination” samples from *anyone* who was known to have been at the crime scene (e.g., the victim, responding officer, family member, or witness). Crime lab personnel separate the DNA of non-suspects (such as police officers and victims) from that of potential

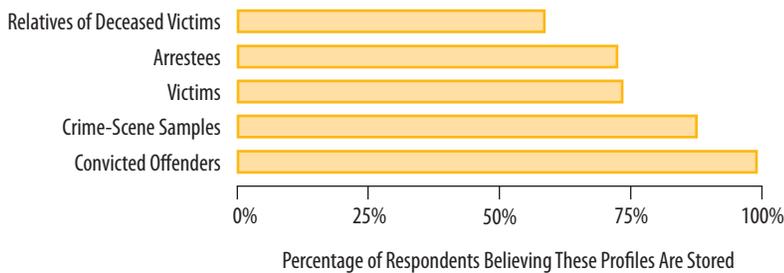
**Figure 3: Role of Person Responsible for Informing Victim about DNA**



suspects. The suspects' DNA profiles are then submitted to the state database.

When asked what type of records a state DNA database may include, more than 70 percent of respondents said that DNA profiles of victims are entered.

**Figure 4: Beliefs about Which Profiles Are Entered into State DNA Databases**



(See Figure 4. See also Box 1, “Whose Profiles Are Stored in State DNA Databases?”) Such misconceptions held by victim-serving professionals may be conveyed to victims and have serious ramifications for the criminal justice process. Victims—particularly those with a prior criminal record—may refuse to submit a reference sample if they fear their DNA profile will be entered into a state database.

**Box 1: Whose Profiles Are Stored in State DNA Databases?**

States have different requirements regarding whose DNA profiles must be included in state databases. In addition to DNA profiles of unknown suspects generated from crime-scene evidence, all state databases include profiles of persons convicted of felony sex offenses. Many states have also enacted laws to collect DNA from any person convicted of a felony. Some states mandate collection from those arrested, but not yet convicted, of specific crimes.

Investigators search these databases to find possible matches between unknown DNA from a crime scene and the DNA of previously convicted (or, depending on the state, arrested) persons. State databases also make it possible to link DNA from different crime scenes, and thereby to identify serial offenders.

Victims’ DNA profiles are not entered into state databases.

Without these reference samples, however, crime lab personnel cannot conduct the DNA tests that might identify the offender.

Most respondents also misunderstood which characteristics a forensic DNA profile can reveal. (See Box 2, “What Exactly Is in a DNA Profile?”) Respondents wrongly stated that forensic DNA profiles can reveal genetic abnormalities (78%), indicate a person’s race (72%), and reveal HIV status (54%). Significant minorities believed that a forensic DNA profile can reveal a person’s hair color (37%) and height (27%). (See Table 4.) These results suggest that respondents may have confused the DNA itself with the numeric identifiers stored in a forensic DNA profile. (DNA specimens can, in fact, reveal many of these characteristics. However, the forensic profiles that crime labs generate from DNA evidence and store in state databases cannot do so. These forensic profiles are used only to match profiles, not to describe suspects.)

Respondents’ misconceptions about forensic DNA profiles, coupled with a general public suspicion of databases containing personal information, raise serious

**Table 4: Respondents’ Misconceptions about What DNA Profiles Can Reveal**

Characteristic Erroneously Believed to Be Contained in a DNA Profile	Percentage of Respondents
Genetic Abnormalities	78%
Race	72%
HIV Status	54%
Hair Color	37%
Height	27%

concerns for victims and advocates alike.<sup>1</sup> These findings clearly suggest the need for better training about how DNA profiles are generated and used.

## Sources of Information about DNA

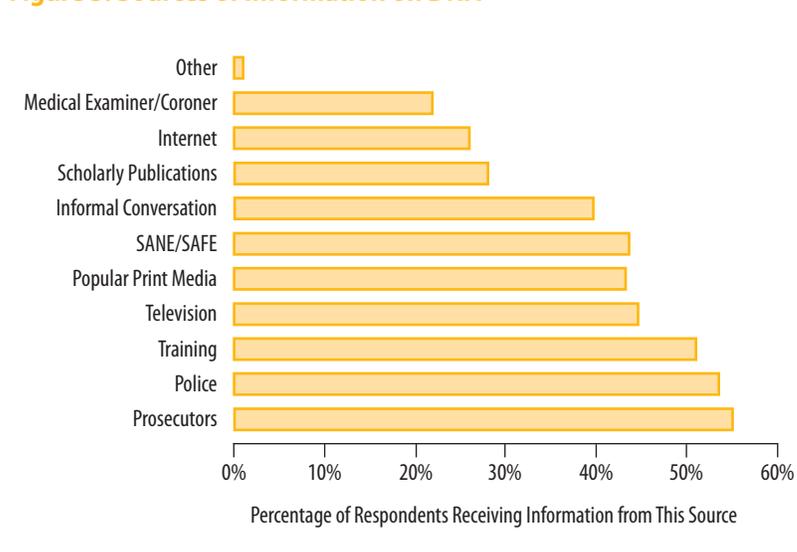
Respondents were asked to identify their sources of information about DNA. Top sources included professional colleagues, such as prosecutors (55%), police (54%), and sexual assault nurse examiners/sexual assault forensic examiners (SANE/SAFE) (44%). (See Figure 5.) A remarkable 45% of respondents cited television as one of their sources of information, and 44% indicated that they receive information from popular print media such as newspapers and magazines. Only one-half of respondents cited training as a source of information about DNA.

Reliance on television as a source of information about DNA is of particular concern, given that crime shows are produced as entertainment and do not attempt to depict a strictly factual reality. Victims are best served by professionals whose information about DNA comes from expert sources rather than from fictional forensic “experts” on popular television shows.

### Box 2: What Exactly Is in a DNA Profile?

DNA profiles, which are developed by crime labs using DNA evidence provided by law enforcement agencies, contain a certain set of identifiers, or characteristics, that are found at specific points—called loci—on a DNA strand. DNA profiles appear as a series of numbers and do not reveal a person’s physical traits such as race, age, or medical condition. DNA profiles, much like fingerprints, are used in criminal investigations to identify individuals who might be involved in a particular crime.

Figure 5: Sources of Information on DNA

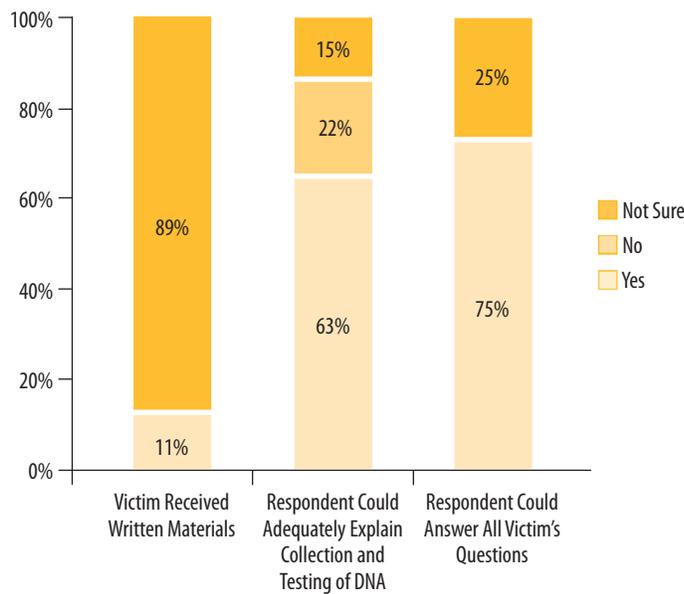


## Victims’ Need for Information in the Criminal Justice System

Respondents were asked whether they or someone else was responsible for providing DNA-related information to the victim in their most recent case involving DNA evidence. They then answered a series of questions about the information victims received. Of those respondents who were responsible for providing information to victims, 88% reported that they had no written information for victims. Of those who answered that someone else

<sup>1</sup> In a 2000 national telephone survey, nearly all (90%) of the respondents reported having concerns about the misuse of personal information, with 64% responding that they are “very concerned” and 25% saying they are “somewhat” or “moderately” concerned. Bureau of Justice Statistics, *Privacy, Technology and Criminal Justice Information: Public Attitudes toward Uses of Criminal History Information Summary of Survey Findings*, (Washington, DC: GPO, 2000), [http://www.search.org/files/pdf/survey\\_w\\_cover.pdf](http://www.search.org/files/pdf/survey_w_cover.pdf) (accessed October 9, 2007).

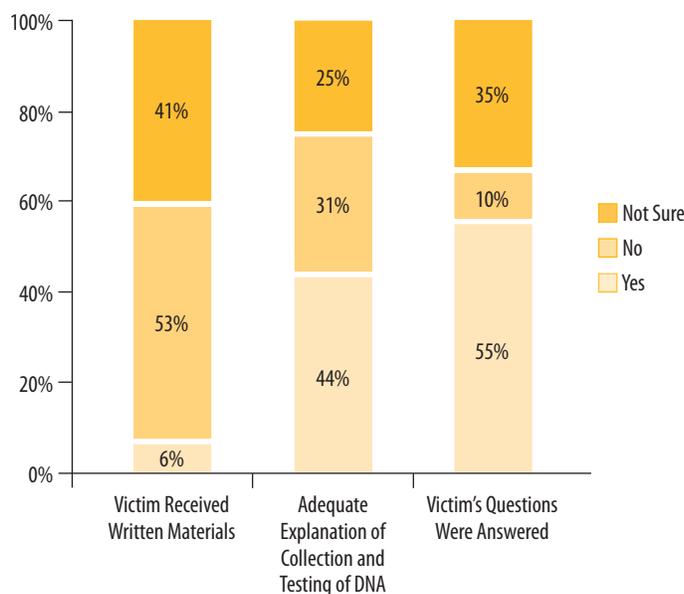
**Figure 6: Victim Informed by Respondent**



was responsible for informing the victim, 53% said that victims did not receive written information, and 40% were unsure whether the victim received any written information.

By and large those respondents responsible for informing victims felt capable of explaining to victims how DNA evidence could affect their case; however, only 63% felt they knew enough about how DNA evidence is collected and tested to explain those processes to victims. Twenty-five percent of these respondents reported they could not answer all of the victim's DNA-related questions. (See Figure 6.) The question they most commonly could not answer is how long it takes to receive DNA testing results from the lab. And given the high numbers of respondents holding misconceptions about DNA, many respondents who felt capable of explaining DNA issues to victims may have provided them with incorrect information.

**Figure 7: Victim Informed by Someone Else**



Of those respondents who said that someone else was responsible for informing the victim about DNA, 21% reported that victims did not receive an adequate explanation of the process of collecting and testing DNA; 44% thought the explanation was adequate; and the rest were unsure. These respondents were also asked if victims' questions were adequately and respectfully answered. While 54% thought that victims' questions were adequately and respectfully

I would like more general information to share with victims to help them understand the importance of DNA evidence to a later court proceeding. . . . The hotline is often the first... to respond to a victim, and I do not feel that we fully understand what to say to someone who has questions on DNA and how it could affect a trial.

–Survey respondent

answered, 10% believed that they were not, and 36% were unsure. (See Figure 7.)

These findings clearly show that the criminal justice system needs to better ensure that victims receive adequate information about DNA collection and testing and the impact of DNA on their cases.

## Top Concerns about the Use of DNA

We also asked respondents to name their top three concerns about the use of DNA evidence in criminal cases. The highest number of respondents (50%) indicated that DNA is not being collected and used as often as it should and that DNA collection and storage are inadequate (49%). As one respondent reported,

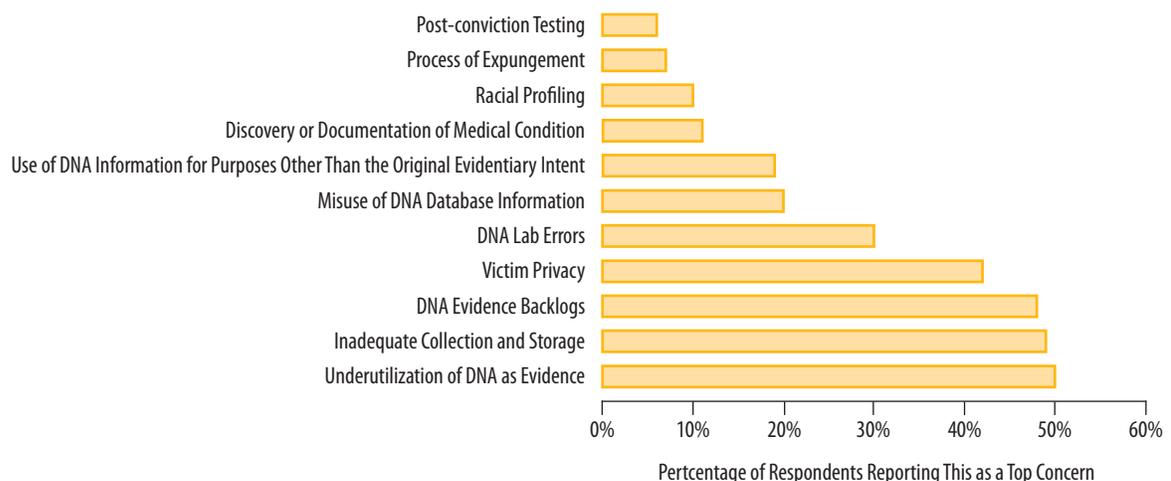
We had a recent case where two victims under the age of ten had been sexually violated and had clothing with DNA on the items. The officer picked up the clothing and gave them to another officer, who could not remember what he did

with the items. I called the officer that took the items from the victims and asked him what he did with the clothing. His answer: “It might be in the back of my car.” This was seven months later. But we still don’t know what happened to the clothes. Our case was without DNA.

Respondents (48%) cited DNA evidence backlogs as the next highest concern. One respondent said, “I have had clients who tell me that the prosecutor is waiting on DNA results for months and months. Meanwhile, [she or he] is worried that they are lost or not being processed, and [the victim’s] trauma recovery is prolonged.”

Victim privacy was also cited as a significant concern by 42% of respondents. This result is not surprising, given respondents’ misconceptions about what a DNA profile can reveal and whether a victim’s profile would be stored in a government database, highlighting the need among victim-serving professionals for better, more accurate information about the nature and use of DNA profiles.

**Figure 8: Top Concerns about DNA**



There has never been a class or informational training to my knowledge on our reservation for this topic. I would like to attend training if there is one available.

—Survey respondent

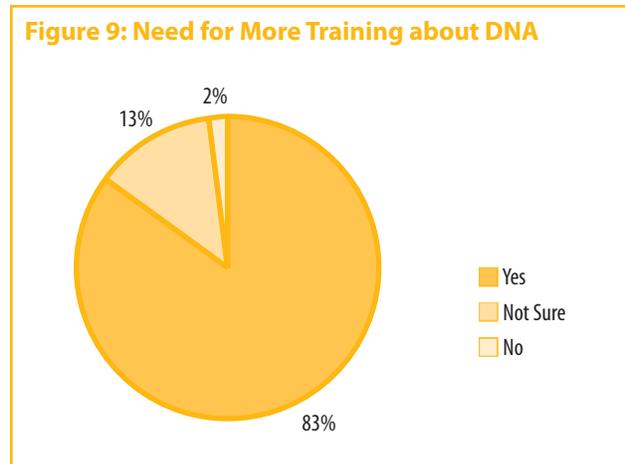
## Need for More Training

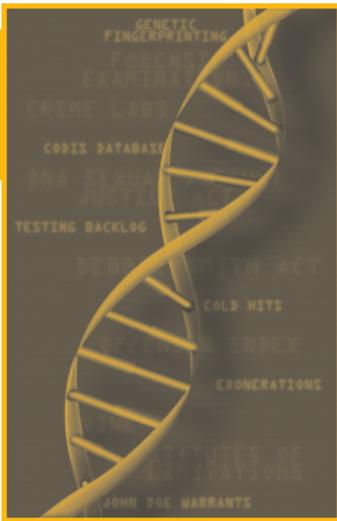
The survey showed that victim-serving professionals overwhelmingly want more training on DNA. Eighty-five percent of respondents cited a need for additional training on DNA among victim-serving professionals (see Figure 9), and eighty-one percent of respondents indicated that they would attend a free or low-cost training seminar if it were available in their area. Participants reported that the survey made them aware of facts about DNA they did not know and that training would enable them to better serve the victims with whom they work. The victim advocates we surveyed—the “front-line” workers faced with the majority of victims’ questions, frustrations, and concerns—want to respond knowledgeable to their clients’ queries.

## Survey Summary

This online survey of more than 750 victim-serving professionals around the United States revealed that most victim service providers have cases involving DNA evidence and view information about DNA as relevant to their daily work. Most are also well grounded in DNA basics, such as where DNA evidence is typically found at a crime scene. However, the majority of survey respondents held misconceptions about the information revealed by a forensic DNA profile and the use and storage of such profiles in state DNA databases. An overwhelming majority of participants saw a need for additional training on DNA for professionals who work with victims and would attend that training if it were available to them.

Figure 9: Need for More Training about DNA





# FOCUS GROUP

## Participants

In June 2007, four months after conducting the survey, the National Center held a multidisciplinary focus group at its national conference to explore in more depth some of the issues raised by the survey and to assess the DNA-related training needs of the field. The National Center selected focus group participants representing varied professional backgrounds and geographic locations from among the conference attendees and also invited a few local professionals from Washington, DC, where the conference was held. The 20 attendees included five law enforcement officers, four sexual assault nurse examiners (SANE), four system-based victim witness advocates (from both law enforcement and prosecutors’ offices), three prosecutors, and four community-based victim service providers. The group’s professional experience (as reported by 14 participants) totaled 185 years in the field and ranged from one participant’s 25 years as a law enforcement officer to another’s four years as a victim witness advocate in a prosecutor’s office. As a group, the participants were more experienced than survey respondents. None had less than three years’ experience, compared to 14% of survey respondents who had two years or less. The large majority (79%) of focus group participants had six years’ experience or more, and several had been in the field more than 20 years.

**Table 5: Experience of Focus Group Participants versus Survey Respondents**

Years of Experience	Focus Group Participants	Survey Respondents
More than 10	43%	36%
6 to 10	36%	25%
3 to 5	21%	20%
2 or less	0%	14%

## Major Findings

Focus group facilitators sought participants' input on three topics: their sources of information about DNA, the need for training on DNA, and victims' need for information about DNA. The majority of participants agreed with the survey finding that they and their colleagues need more training on DNA. Many of the focus group participants said that they had at times been unqualified or unprepared to answer victims' questions about DNA evidence. They also shared a concern that victims who have misconceptions about DNA could have unrealistic expectations about the impact of DNA evidence on their case.

Participants reported that they have obtained most of their current information about DNA from the Internet, trainings at conferences, observing court trials, discussions with law enforcement and medical examiners or coroners, and on-the-job training. This finding matched the survey results, with two exceptions: relatively few survey respondents (26%) reported having obtained information from the Internet, and focus group participants did not list television as a source of information about DNA, as did 45% of survey respondents.

When participants were asked to prioritize potential training topics, they most highly ranked training on federal and state laws governing DNA evidence, the desirability of using DNA to solve more types of crimes, the storage and collection of DNA evidence, the protection of privacy for victims who provide reference samples, and the impact of DNA on the investigation of specific types of crime.

The primary conclusion of the focus group was that victim-serving professionals clearly need and want

more training about DNA and a continual source of up-to-date information (such as e-mail alerts or a "DNA resource person") for both professionals and victims.

## Sources of Information about DNA

Facilitators queried participants about their current and past sources of information about DNA, desired sources of information, and the best ways to receive information. For this series of questions, participants interpreted the word "source" in different ways. The majority of participants mentioned a person or other people from whom they learned information. Others interpreted "source" to mean materials or methods through which they received information, such as a DVD or a training program.

### **Current Sources of Information**

Participants said that they derived most of their information from what they called "informal sources." These sources included prosecutors and defense counsel who they had observed at court proceedings; pre-trial prepping sessions with DNA experts in which they had been involved; and on-the-job interactions with medical examiners, coroners, and law enforcement officers.

Participants also cited conference trainings, in-service training (mostly for law enforcement), and on-the-job training (mostly SANEs and law enforcement) as sources of their information.

A number of participants also cited Web sites as a source. When asked, "What is the best source you have seen to date," several people named the *www.DNA.gov* Web site. A few law enforcement officers also stated they have learned a great deal from the training "What

As a criminal investigator, it is hard enough to keep pace with ever-changing laws....To also be responsible to keep up with science is asking too much of [f] investigators already strapped for time. My concern is that I may be responsible for failing to perform my duties in properly recovering DNA evidence from a scene/victim/suspect/witness...and risk permitting a felon to walk free because of me.

–Survey respondent

Every Officer Needs to Know about DNA Evidence,” offered by the National Commission on the Future of DNA Evidence.<sup>2</sup>

### ***Desired Sources of Information***

Many participants suggested that experts who can relay DNA information in layman’s terms would be a good source of information on DNA. Some thought that local crime lab professionals, CODIS managers, and scientists would be good sources, but others argued that these professionals could not take the time out of their important lab work to be a resource for the community (For an explanation of CODIS, see Box 3.) Participants stressed that the information must be accurate, up-to-date, and consistent, regardless of the source.

### ***Best Ways to Receive Information***

While there was no consensus on the single best method for receiving information, the majority of participants agreed that having telephone or e-mail access to an expert for technical support and information would be ideal. Many participants said that the Internet offers an excellent medium for accessing DNA information because Web sites are easily updated and accessible around the clock. Many recommended government-sponsored Web sites (such as that of the Centers for Disease Control and Prevention). Some group members recommended e-mail alerts to disseminate up-to-date, easily accessible information on new technology and other news in the field. Others said that they preferred

#### **Box 3: What Is CODIS?**

The Combined DNA Index System, or CODIS, is a system of national, state, and local databases managed by the FBI that allows crime laboratory personnel across the country to compare DNA profiles from known criminal offenders (and arrestees, where applicable) with biological evidence from crime scenes. CODIS has proven crucial to solving crimes in which the offender’s identity is unknown. CODIS can match DNA profiles from different crimes, thereby identifying serial offenders. CODIS can also match DNA profiles of unidentified human remains with DNA profiles from missing persons or their close family members to identify the remains.

printed materials because they like to give victims something to review with support people (e.g., family members, friends, a counselor, or an advocate). However, some participants suggested that the rapidly changing nature of DNA technology makes printed materials a less desirable format for relaying information.

### **The Need for Training on DNA**

To learn about participants’ current training needs, the National Center asked them how prepared they were to provide information to victims and answer questions about DNA. We also asked about the quality of available training and priority topics for future training.

#### ***Current Training Needs***

The majority of participants agreed that they could benefit from more training. Several attendees reported feeling uncomfortable about their current ability to inform victims about DNA. Training on cold cases, in particular, was cited as a need.

Many participants agreed that training should be multidisciplinary and that cross-training of victim-serv-

<sup>2</sup> The officers had reviewed this training in CD-ROM format; however, it is now available online at [www.DNA.gov](http://www.DNA.gov).

ing professionals is important. One participant noted that because victims experience varying needs throughout the criminal justice process, everyone in the process should have training on all aspects of DNA evidence collection, transportation, storage, and testing. Another person summed it up best: “Everyone in the process should know the process from beginning to end.”

A few participants asserted that victim advocates’ training needs have been largely ignored, and suggested that training be focused on this important group. Participants highlighted the victim advocate’s role as crucial, providing consistent support for the victim throughout the criminal justice process. One law enforcement officer said that victim advocates take the “pressure off of detectives by running interference” with victims who need information and have many questions about DNA.

### **Quality of Available Training**

As previously mentioned, many participants said that much of the training they have received has been “informal,” meaning that for the most part, they have received information about DNA from sources other than training. Several group members mentioned having learned about DNA from courtroom observation. They noted that observing trials was helpful because “you learn what’s important in court,” and if a jury can understand it, “you can pick it up too!” Another participant agreed, saying that experts trained for courtroom explanations about DNA have usually learned to speak about a complicated topic in layman’s terms.

The SANEs who participated said they received the best training during their first few supervised exams

and by observing other forensic medical professionals perform exams.

One prosecutor mentioned that younger prosecutors are not receiving the same amount of training as the more experienced prosecutors did when they started. A law enforcement officer agreed, saying that it seems as if “it’s assumed that everyone has now had training or knows the information already.”

Overall, the group agreed with the survey respondents that more training is needed for all disciplines, and that, currently, there is no good training delivery system for those professionals who want more information about DNA evidence.

### **Priority Topics for Future Training**

Focus group participants were asked twice to rate twelve DNA evidence-related topics as high or low priorities for training, first for themselves and then for their colleagues. Eighteen participants responded. (See Table 6.)

While our survey results indicated that many professionals need training to dispel misconceptions about DNA profiles and the CODIS database system, interestingly, focus group participants did not rate this topic as a particularly high training priority for themselves. However, they did recommend this training for their colleagues. This discrepancy may be the result of differences between the experience levels of the survey respondents and the (more experienced) focus group participants.

**Table 6: Priority Topics for DNA Trainings**

Topic	Number (Percent) Prioritizing This Topic	Discussion
<b>Federal and State Laws:</b> What are the federal and state laws regarding DNA collection and processing?	15 (83%)	Fifteen participants rated this topic as a high priority for training for both themselves and their peers. Most professions, except for the community-based advocates, gave this topic a high priority.
<b>Solve More Crime:</b> How could DNA be used to solve more types of crimes than it is now?	12 (67%)	The law enforcement, SANE, and victim witness representatives in the group agreed that they would like training on using DNA to solve more crime. This topic ranked 2nd highest for the prosecutors in the group but did not make the top 5 topics for community-based advocates.
<b>Collection and Storage:</b> How is DNA evidence collected and stored over the life of a DNA sample?	12 (67%)	Law enforcement prioritized training on the collection and storage of DNA, and especially suggested it for their colleagues. It was not a high priority for community-based advocates.
<b>Victim Privacy:</b> How is a victim's privacy protected in a case in which she/he has given DNA?	11 (61%)	More training on victim privacy was given priority by community-based advocates, SANEs, prosecutors, and victim witness professionals.
<b>Investigations of Specific Types of Crime:</b> How does DNA impact the investigation of specific types of crime?	11 (61%)	Law enforcement, SANEs, and prosecutors all felt it was an important topic for training they would like to see available to them as well as their peers.
<b>DNA Profile:</b> What is a DNA profile, and what can it tell us about the personal characteristics of the person whose DNA has been analyzed?	10 (56%)	This topic was a high priority for law enforcement; all four law enforcement participants voted for this topic. (Note: Survey results also indicated a great need for training in this area.)
<b>Cold Cases and Exonerations:</b> How is DNA used in cold cases and exonerations?	10 (56%)	Law enforcement, SANEs, and prosecutors were in agreement that this topic is a high priority for training.
<b>CODIS Hit:</b> What happens after a CODIS hit occurs?	10 (56%)	Community-based advocates all rated this topic as a high training priority.
<b>CODIS:</b> What is CODIS? What information is in CODIS, and who has access?	9 (50%)	All four community-based advocates rated this topic as a high training priority, with nine people in all prioritizing this topic for themselves. Fourteen people rated it a high priority for their peers to receive training on. (Note: Survey results also indicated a great need for training in this area.)
<b>Basic Science:</b> The basic science of DNA, including where DNA is found in the human body.	9 (50%)	Community-based advocates chose this topic as an important training area overall. All four law enforcement officers also rated it as a high priority for their peers.
<b>Crime Labs:</b> How do crime labs work?	5 (28%)	This category was rated a low priority among most groups.
<b>Missing Persons:</b> How is DNA used in missing persons cases?	5 (28%)	This training topic rated low among all groups. Three of the five votes came from the law enforcement contingent.

## Victims' Need for Information about DNA

In this segment of the focus group, facilitators asked participants to describe the DNA-related issues that victims raise, including how often victims want more information than they can provide, common misconceptions among victims, and methods of providing victims with information on DNA. The focus group results from this section most closely matched survey responses, indicating that most victims need the same types of information about DNA.

### Victims' Information Needs and Concerns

When asked, "How often do victims want more information than you can give them," many participants stated that victims often wanted more information than they felt qualified to provide. Several attendees said this circumstance occurs "all the time." Participants reported the following typical questions from victims:

- "Why isn't DNA being used in my case?"
- "What happens when multiple DNA samples are found on a victim?"
- "What happens to my reference sample after I give it?"
- "How much DNA do you need for testing?"
- "Why isn't my case a priority?" (cold cases in particular)

Such questions echo what survey respondents reported when asked what questions victims had about DNA that respondents were unable to answer.

The focus group participants said victims have many concerns about the use of DNA in criminal cases, and these same concerns also appeared in open-ended

survey responses. For example, victims are frustrated at the length of time it takes to complete DNA testing. Others stated that victims often are angry that DNA wasn't collected in their case (for example, a victim of a robbery was angry that investigators did not collect DNA at the crime scene).

### Victims' Misconceptions

Participants surmised that many victims are under the "CSI effect," a set of misconceptions about forensic DNA that they have absorbed from televised crime programs, such as *Crime Scene Investigation*, or *CSI*, which promote an unrealistic view of the state of forensic science in America today. Victims who have watched *CSI* or similar shows may, therefore, have inaccurate expectations about how the criminal justice system uses DNA. (Survey results indicated that as many as 45% of victim-serving professionals also receive information about DNA from television.)

Focus group participants shared the following misconceptions about DNA that victims have expressed to them:

- Having the perpetrator's DNA will lead to an arrest.
- DNA is always present at a crime scene, and investigators will find it.
- Bathing or washing will remove all DNA evidence.

### Methods for Sharing Information with Victims

Participants suggested numerous methods to deliver information to victims. Several participants suggested that the best scenario would be to have an expert avail-

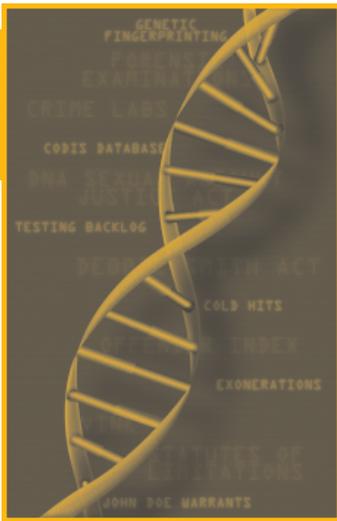
able to speak with victims in person or even online. Some participants suggested that victim advocates be trained as experts available to answer victims' questions.

Most participants asserted that first responders should have written information to give to victims but that these materials should not be victims' only source. One participant recommended having victims read and discuss a brochure with an expert. Several people stated that the Web is a good source of information, but others pointed out that not all victims have access to the Internet. Some participants suggested that victims can use the library, and another mentioned a DVD that a victim could watch at the police department or prosecutor's office. A few participants reminded us that non-English speaking victims need resources in their native language, too.

## Focus Group Summary

The focus group revealed that victim-serving professionals lack accurate and complete information about DNA technology and its impact on criminal cases. Very few participants had ever attended a training session on DNA. At the same time, victims come to the criminal justice process with many questions and some misconceptions about DNA, which increase the need for accurate information from service providers. Clearly, the victim-serving community and victims of crime would benefit from an increase in easily-accessible and well-organized training and information. For victims and professionals alike, focus group participants suggested multiple forms of information delivery, including brochures, Web sites, e-mail alerts, and a live expert to answer questions either by phone or online.





## Recommendations and Conclusions

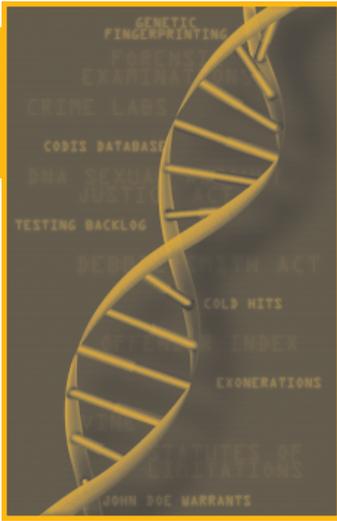
**A**s the use of DNA evidence in criminal trials increases, victim service providers, medical professionals, law enforcement officers, and prosecutors are all being called on to help victims understand the DNA evidence collection and testing process and how DNA will be used in court. Through our survey and focus group, we discovered that victim-serving professionals feel they are not adequately prepared to discuss DNA-related issues with the victims they serve, and many professionals, and victims, have misconceptions about how the criminal justice system uses DNA. Our research indicated a strong need for:

- Basic training for victim-serving professionals to eliminate misconceptions about DNA profiles and databases;
- Advanced training on such topics as state and federal laws on DNA, best practices in DNA collection and storage, protecting victims' privacy, and working with victims in cold cases;
- Cross-training among victim-serving professionals—including law enforcement, victim advocates, medical forensic examiners, and prosecutors—so that victims receive consistent and accurate information throughout the criminal justice process;
- A continual source of up-to-date information about new developments in DNA science, public policy, and criminal justice practice;
- DNA experts or resource persons available for consultation;
- Written materials for victims;
- Model protocols for keeping victims informed about DNA issues in their cases;
- More funding to eliminate DNA backlogs and reduce the time required to receive lab results from DNA testing.

## Conclusion

It's crucial that crime victims are informed and feel respected by the criminal justice system for two important reasons: first, it is the right thing to do for those who have been harmed by crime—receiving accurate and timely information and support during the criminal justice process can help alleviate the fears and anxiety that can overwhelm victims; second, the criminal justice system relies on victims to report crime and participate as witnesses—and well-informed victims are more likely to participate effectively, leading to increased apprehension and conviction of criminal offenders.

Victims have many questions, concerns, and frustrations—and some mistaken notions—about DNA evidence that require the attention of knowledgeable professionals. Ensuring a reliable and accurate flow of training and information about DNA and its uses in criminal trials to all professionals who come into contact with victims will do much to keep victims informed and engaged in the criminal justice process. Providing victims with written materials, developing official protocols for keeping victims informed, and increasing efforts to eliminate DNA evidence backlogs are additional steps that can help to achieve a greater measure of justice for crime victims—and for society as a whole.



## Appendix A

### Survey of Victim Service Providers about DNA Evidence

#### ***Introduction***

The National Center for Victims of Crime is gathering information on the knowledge, concerns, and questions of the victim services field related to DNA and its use as evidence in criminal cases. We will use the results of the survey to inform new educational materials on DNA which will be available at our National Conference in June (and thereafter).

The following survey should take about 5-10 minutes. Thank you for your time.

- 1) In the past 2 years, have you worked with any victims whose cases involved potential DNA evidence?
- Yes (Go to 2)
  - No (Go to 15)

- 2) For each type of crime, indicate how many cases you've had in the past 2 years that involved DNA evidence. Assign each case to just one category. Please use numerals.

Sexual Assault	
Child Sexual Abuse	
Sexual Assault/Abuse and Homicide	
Sexual Assault/Abuse and Kidnapping/Abduction	
Sexual Assault/Abuse and Home Invasion	
Homicide	
Home Invasion/Burglary	
Kidnapping	
Theft/Larceny	
Assault	
Stalking	
Other	

- 3) If you included any cases under "other" what were the crimes?

***For the next 10 questions, base your answers on your most recent case involving DNA evidence.***

- 4) What was the job or role of the person primarily responsible for giving information to the victim regarding DNA evidence (whether this person was yourself or someone else)?
- Police officer
  - Prosecutor
  - Medical personnel

- Victim advocate
- Other (please specify): \_\_\_\_\_

- 5) Who was the person primarily responsible for giving the victim information about DNA evidence?
- Myself (Go to 10)
  - Someone else (Go to 6)
- 6) Do you feel that the victim was given an adequate explanation of the process of collecting and testing DNA evidence?
- Yes
  - No
  - Not sure
- 7) Do you feel that the victim was given an adequate explanation of the potential impact of the DNA evidence on the case?
- Yes
  - No
  - Not sure
- 8) Were the victim's questions adequately and respectfully answered?
- Yes
  - No
  - Not sure
- 9) Did the victim receive any written materials on DNA evidence?
- Yes (Go to 15)
  - No (Go to 15)
  - Not sure (Go to 15)

- 10) Do you feel that you had enough knowledge of the process of collecting and testing DNA evidence to explain this process to the victim?
- Yes
  - No
  - Not sure
- 11) Do you feel that you had enough understanding of the potential impact of the DNA evidence on the case to explain this impact to the victim?
- Yes
  - No
  - Not sure
- 12) Were you able to answer all of the victim's questions about DNA evidence?
- Yes (Go to 14)
  - No (Go to 13)
- 13) If not, what DNA-related question(s) did the victim have that you were unable to answer?
- 14) Did you have written materials on DNA to give to the victim?
- Yes
  - No
- 15) From what sources have you learned about DNA and its use as evidence in criminal cases? (check all that apply)
- Prosecutors
  - Police
  - Medical examiner/coroner
  - SANE/SAFE or similar professional
  - Informal conversations
  - Training sessions
  - Popular print media (newspapers, magazines, etc.)
  - Scholarly publications (books, journal articles, etc.)
  - Internet
  - Television
  - Other (please specify): \_\_\_\_\_
- 16) Do you think there is a need for additional training on DNA and its use as evidence in criminal cases for professionals who work with crime victims?
- Yes
  - No
  - Not Sure
- 17) If there were free or low-cost training seminars available in your area, would you attend?
- Yes
  - No
  - Not sure
- 18) Please check your top three concerns about the use of DNA evidence in criminal cases:
- Victim privacy
  - Inadequate collection and storage processes/ integrity of samples over time
  - DNA lab errors and quality assurance
  - Under-utilization of DNA as evidence (e.g., not collected or tested as often as it should be)
  - Discovery and/or documentation of medical conditions (e.g., HIV) through DNA testing
  - DNA backlogs
  - Racial profiling
  - Use of DNA for purposes other than the origi-

nal evidentiary intent

- Existence of a process for expunging DNA profiles from local, state, and national databases
- Post-conviction DNA testing
- Violation of civil liberties and/or due process
- Misuse of DNA database information by those who have access to it

19) If you wish, please expand on your concerns related to the collection, storage, and uses of DNA evidence.

20) Do you have questions related to DNA evidence not discussed above, and if so, what are they?

***The next section contains questions to assess your knowledge about DNA. The purpose of these questions is to determine the level of knowledge of the victim services field and the need for informational materials and training. Please do not refer to the Internet or any other source of information when answering these questions, as that will defeat the purpose. When you finish the survey, you will be directed to a Web site with the correct answers, for your information.***

21) Each individual has a DNA profile that is unique to them (except for identical twins).

- True
- False

22) DNA may be found in (mark those that apply):

- Blood
- Saliva
- Skin tissue

- Ear wax
- Hair
- Bone
- Urine
- Fingernails
- All of the above
- None of the above

23) At a crime scene, DNA may be found on or in (mark all that apply):

- Furniture
- A condom
- A stamp on an envelope (or the envelope itself)
- A windowsill
- A rim of a glass
- Item used as a ligature/binding (e.g., rope, tape, phone cords)
- Used tissue
- Cigarette butts
- Clothing
- All of the above
- None of the above

24) To preserve evidence after an assault, victims should not (mark all that apply):

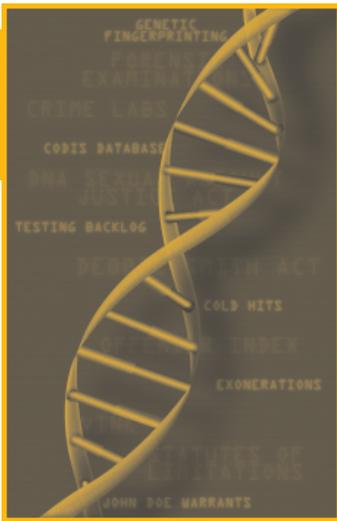
- Shower, bathe, or wash any part of body
- Change clothes
- Clean up area where crime occurred
- Drink anything
- Comb hair
- Smoke
- Go to the bathroom
- Victims should not do any of the above
- Victims may do all of the above

- 25) In sexual assault cases, DNA evidence should be collected from the victim's body as soon as possible. However, evidence collected up to \_\_\_ hours after the assault has the potential to yield an accurate DNA profile of the offender.
- 24
  - 36
  - 72
- 26) Very small samples and partially degraded DNA samples can be tested for a DNA profile.
- True
  - False
- 27) Forensically valuable DNA may be found on evidence that is decades old.
- True
  - False
- 28) State criminal DNA databases, depending on state law, may contain DNA profiles from (mark all that apply):
- Convicted offenders
  - Persons arrested for crimes
  - Crime-scene samples
  - Victims
  - Relatives of deceased victims
  - All of the above
  - None of the above
- 29) In addition to a unique forensic profile, the DNA profiles stored in CODIS (Combined DNA Index System) can tell us a person's (mark all that apply):
- Sex
  - Race
  - Genetic abnormalities
  - HIV status
  - Hair color
  - Height
  - All of the above
  - None of the above
- 30) CODIS can link DNA profiles found at crime scenes to:
- DNA profiles from other crime scenes
  - Convicted offenders' DNA profiles
  - Arrestees' DNA profiles
  - Victims' DNA profiles
  - All of the above
  - None of the above
- 31) If DNA test results indicate strong evidence that the DNA came from a particular suspect, it means that suspect is guilty of the crime.
- True
  - False
- 32) If DNA test results indicate strong evidence that DNA did NOT come from a particular suspect, it means that suspect is innocent of the crime.
- True
  - False

*The last few questions ask about your work setting and background.*

- 33) What term best describes your agency/organization?
- Law enforcement agency
  - Prosecutor's office
  - Corrections/Probation/Parole
  - Other system-based agency
  - Law office
  - Nonprofit: child victims
  - Nonprofit: domestic violence
  - Nonprofit: drunk driving
  - Nonprofit: elder victims
  - Nonprofit: homicide survivors
  - Nonprofit: sexual assault
  - Nonprofit: domestic violence and sexual assault combined
  - Nonprofit: general victim services
  - Other (please specify): \_\_\_\_\_
- 34) How long have you been in the field of victim services?
- 2 years or less
  - 3-5 years
  - 6-10 years
  - More than 10 years
  - I do not work in victim services
- 35) How would you describe the community you work in?
- Urban
  - Suburban
  - Rural
- 36) Which of the following most closely describes your primary job function?
- Victim advocacy
  - Counseling
  - Education/Outreach
  - Policy/Administration
  - Research
  - Law enforcement
  - Prosecution
  - Civil litigation/Representation of crime victims
  - Other (please specify): \_\_\_\_\_
- 37) How relevant is knowledge about DNA evidence to your daily work?
- Very relevant
  - Somewhat relevant
  - Not relevant
- 38) Is there anything else you would like us to know or anything you would like to learn about DNA?

**Thank you!**



## Appendix B

### Focus Group on DNA Discussion Outline

Focus Group on DNA at the  
National Center for Victims of Crime  
National Conference  
June 19, 2007  
6:00 p.m. – 8:00 p.m.

#### **Objectives**

- Hear from people in the field about the knowledge level of victim assistance professionals and training needs related to DNA
- Learn more about the issues victims raise about DNA
- Understand ongoing concerns in the field about DNA

#### **Ground Rules and Purpose**

- Multidisciplinary focus group convened to learn directly from victim service professionals about issues and concerns around crime victims and the use of DNA in criminal cases.
- Discussion will help shape training and materials for the field.
- Focus group is not a decision-making meeting.
- Multidisciplinary group will raise varied perspectives and opinions.
- No obligation to reach a consensus today.
- Please respect each other's opinions.
- No right or wrong answers.
- Everyone will have a chance to speak and contribute their ideas.

## Questions for Participants

### *Sources of Information*

- What are your sources of information about DNA (particular Web sites, materials, other professionals, etc.)?
- What is the best source you have seen to date? Why do you feel that way?
- Where would you like information about DNA to come from? Why?
- What is the best way for you to receive that information?
  - Web
  - E-mail alerts
  - Printed material
  - Training (Web, in-person, teleconference)

### *Training*

- How comfortable are you with your level of preparedness to give victims information and answer their questions about DNA as it relates to crime and investigations?
- Have you ever been trained on DNA issues (if so, on what topics, when, and by whom)?
- How would you rate the quality of that training? Why was it good/bad?
- Thinking about your own knowledge of DNA and what knowledge you need to work on these cases, please review the handout of a list of potential training topics and rate them as a high or low training priority for you.
  - Basic science of DNA (what it is, etc.)?
  - What is a DNA profile and what can it tell us about a person?
  - What is CODIS? What information is in CODIS, who has access, etc.?
  - What happens after a CODIS hit occurs?
  - How do crime labs work? (What types of labs are there, why are there backlogs, what do labs really do?)
  - How does DNA affect the investigation of specific types of crime?
  - How is DNA used in missing persons cases?
  - How is DNA evidence collected and stored over the life of a DNA sample?
  - How is DNA used in cold cases? In exonerations?
  - How is a victim's privacy protected in cases in which she has given DNA (as a reference sample)?
  - What are the federal and state laws re: DNA collection, processing (e.g., some states have time frames for turnaround, missing persons cases)?
  - How could DNA be used to solve more types of crimes than it is now?
  - Other?

- In what venue should this training take place (stand-alone, attached to current available training)?
- Would your organization/department deem this a high enough priority to give you time off or in other ways support your wish to attend training?
- What is the ideal length for a training? Half day? Two days?

#### *DNA and Victims*

- What issues do victims raise about DNA?
- What common misconceptions do victims have about DNA and how it is used/not used in cases?
- How often do victims want more information than you can give them?
- What has been your biggest frustration in working with cases involving victims and DNA?
- Which of these methods do you think is best for providing information to victims about DNA?
  - A Web-based tutorial
  - Brochure or other written material
  - An expert to speak with in person
  - DVD
  - Other?
- Who should be the person responsible for giving victims information about DNA?
- What kind of information (amount, technical level, etc.) should victims receive?
- Assuming the expansion of the use of DNA in criminal cases in the future, (e.g., using DNA to solve burglary cases, collecting DNA samples from all convicted felons or from all arrestees) what do you see as the impact on victims and what should be put in place to help them?

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This report was made possible by an unrestricted educational grant from Applied Biosystems. Applied Biosystems, a leader in forensic DNA technologies, is committed to providing educational materials that further the understanding of how DNA technology is used to assist criminal investigations.