

## Procedures for SAE Kits Collected from Persons who DO NOT Report to Law Enforcement

Passage of SB 764 (effective October 1, 2024) amends FS 943.326 (3)(b) to specify that:

- SAE Kits from persons who do not report to law enforcement must be transferred from the medical facility to the FDLE within 30 days of collection.
- FDLE must store the SAE Kits anonymously and in a secure and environmentally safe manner with a documented chain of custody and must be retained for a minimum of 50 years after the collection date.
- If the person files a report, the SAE Kit is then forwarded for testing.
  - If SOL has not expired, and a prosecution could ensue, the SAE Kit must be retained until the prosecuting agency has approved its destruction.
  - If SOL has expired, and a prosecution cannot commence, the SAE Kit must be retained until FDLE approves destruction.

### **APPLIES TO ONLY THE SEXUAL ASSAULT EVIDENCE KITS COLLECTED ON OR AFTER OCTOBER 1.**

Kits collected prior to October 1, will be retained in their current storage location for the timeframe previously provided to the victim/survivor. Other potential evidence e.g., drug facilitated sexual assault kit or outer clothing should continue to be stored by the law enforcement agency or medical facility/certified rape crisis center that performed the exam based on the previously established agency/community-determined timeframes.

### **Track-Kit – Medical Facilities**

1. After selecting 'No' for 'Reported to Law Enforcement?', choose 'FDLE Storage' as the 'Storage Location', see example below. If 'FDLE Storage' is not in the list, select 'Other Organizations...' and select it from the pop-up.

*Note: It is recommended that the portal site Administrator add 'FDLE Storage' to the 'Associated Agencies' list under 'Administration'.*

2. Complete any additional fields and 'Save'.

The screenshot displays the 'Kit Details' form with a blue header. Below the header, a message states: 'Please complete the following form. Mandatory fields are marked with a red asterisk(\*)'. The form is divided into two main sections: 'General Details' and 'Medical Exam Organization/Facility Details'. In the 'General Details' section, the 'Barcode' field contains 'FLPC0000665', 'Kit Type' is 'Sexual Assault Kit', and 'Status' is 'In Medical Facility'. In the 'Medical Exam Organization/Facility Details' section, 'MF Kit Status' is 'In Inventory', 'Collector' is 'STACSDNA Ad...', 'Collection Date' is '8/26/2024', 'Minor' is 'No', 'Reported to Law Enforcement?' is 'No', and 'Storage Location' is 'Select...'. A dropdown menu is open for the 'Storage Location' field, showing a search bar and a list of options: 'At Medical Facility', 'FDLE Storage' (highlighted with a red circle), 'FL Non-Participating Law Enforcement Agency', 'Jacksonville Sheriff's Office', 'St. Augustine Police Department', and 'Other'. Below the 'Other' option is a text input field labeled 'Other Organization...'. At the bottom of the form, there are buttons for 'Print', 'Reset Survivor Password', 'Save', and 'Cancel'.

## **Track-Kit – Law Enforcement Agencies**

Law enforcement agencies ONLY transporting the non-reported SAE Kits from the medical facilities to FDLE will have NOTHING to do in Track-Kit.

### **Transport of the SAE Kit to FDLE**

Law enforcement agencies, served in any manner by the FDLE laboratory system, are asked to continue to pick up the SAE Kits from the medical facility and act as a courier to transport them to FDLE. The chain-of-custody must be maintained. SAE Kits can be dropped off at any FDLE regional laboratory and will be transferred internally.

*Note: No laboratory Prelog entry is needed.*

FDLE will store SAE kits at two locations the Fort Myers Regional Operations Center (FMROC) and the Jacksonville Regional Operations Center (JROC).

**FMROC will store SAE Kits from Broward, Miami-Dade, Palm Beach, Collier, and Lee Counties.**

**JROC will store SAE Kits from the remainder of the state.**

Medical facilities in counties not receiving any service from a FDLE laboratory will be provided a FedEx Account number to use for shipment of these kits to FDLE.

For Broward, Miami-Dade, and Palm Beach, the SAE Kits will be sent to the FDLE Fort Myers Regional Operations Center.

FDLE  
FMROC Evidence  
4700 Terminal Drive, Suite 7  
Fort Myers, Florida 33907  
(239) 278-7170

The mailing address for the Jacksonville Regional Operations Center is below.

FDLE  
JROC Evidence  
921 North Davis Street, Building E  
Jacksonville, Florida 32209-6804  
(904) 360-7100

### **Packaging Guidelines for Mailing:**

- Pack and seal evidence securely in a box to prevent damage.
  - Use an appropriate size box and fill in any empty space with crumpled paper, air pillows, packing peanuts, or similar.
- Reinforce edges and corners of boxes with tape and avoid using boxes that have been previously used and show signs of compromise.
- Settling of contents during shipping or failure of the container may result in loss of evidence.

## **Conversion to Reported Case**

1. If a victim/survivor files a report, law enforcement should contact the Track-Kit Policy Center at [FloridaSAKPolicyCenter@fdle.state.fl.us](mailto:FloridaSAKPolicyCenter@fdle.state.fl.us) or 844-4-FLA-SAK (844-435-2725).

The information below is needed.

- a) Track-Kit barcode number
- b) 'Reported to LEA Date' for Track-Kit
- c) LEA Case Number
- d) Track-Kit User for the 'Assigned Officer' field
- e) Evidence mailing address for shipping the kit, for LEAs served by a non-FDLE lab.

LEAs served by FDLE **must** complete a Prelog entry for the case before it can be accepted into the lab for testing.

2. The Policy Center will complete the following:
  - Change the reporting status in Track-Kit
  - Add the 'Reported to LEA Date' in Track-Kit
  - Transfer the kit in Track-Kit to the investigating LEA. Accept the transfer in Track-Kit.
  - Contact the ROC holding the kit and identify the needed kit.
  - Provide mailing instructions for non-FDLE cases or testing lab ROC.

Notes:

Only sexual assault evidence kits collected on or after October 1 from a non-reported assault. No other evidence will be stored by FDLE.

Reported cases where consent for testing is withdrawn. Kits needs to be clearly labeled with this information and delivered to FDLE, without Prelog entry, for storage.