



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

## Department of Public Safety

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The Honorable Peter Micciche  
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Juneau, AK 99801-1182  
[Senator.Peter.Micciche@akleg.gov](mailto:Senator.Peter.Micciche@akleg.gov)

The Honorable Louise Stutes  
Speaker of the House  
Alaska State Capitol Room 208  
Juneau, AK 99801-1182  
[Representative.Louise.Stutes@akleg.gov](mailto:Representative.Louise.Stutes@akleg.gov)

Subject: 2022 Report on Untested Sexual Assault Examination Kits

Dear President Micciche and Speaker Stutes,

The Department of Public Safety (DPS) has prepared the following report on untested sexual assault examination kits as required by AS 44.41.070(b).

The 2022 inventory identified 75 untested sexual assault examination kits in possession the Alaska Scientific Crime Detection Laboratory, an 87% reduction from the 558 untested kits identified in the 2021 report.

Sincerely,

James E. Cockrell  
Commissioner

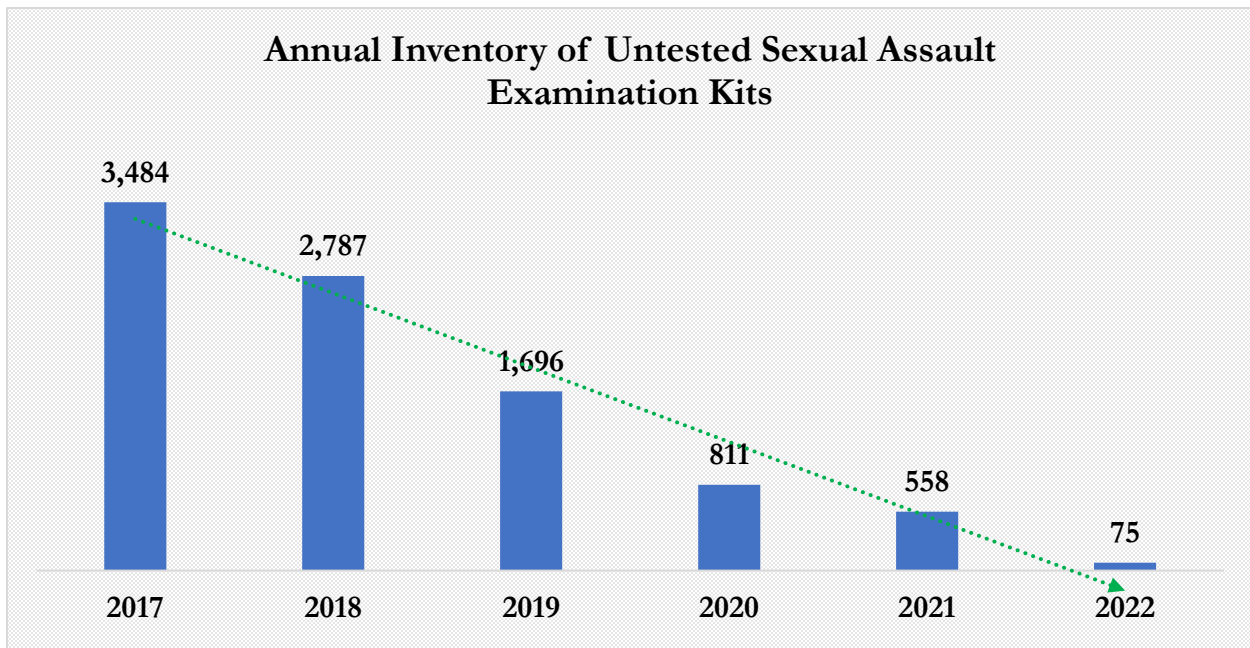
## 2022 Report on Untested Sexual Assault Examination Kits

### Inventory of Untested Sexual Assault Examination Kits

In 2022, 44 law enforcement agencies maintained case jurisdiction on sexual assault cases in Alaska. In August 2022, the Department of Public Safety (DPS) began contacting each of these agencies regarding the requirement to conduct an annual inventory of untested sexual assault examination kits (SAKs) in the agency's possession per AS 44.41.070. **All 44 law enforcement agencies complied with the inventory requirement.**

The 2022 inventory, which included the existing inventory of untested SAKs in possession of the DPS Alaska Scientific Crime Detection Laboratory (Crime Lab), resulted in a total inventory of **75 untested victim sexual assault examination kits, all of which were located at the Crime Lab.** No untested sexual assault kits were in possession of the associated law enforcement agency.

Since the inaugural 2017 inventory, there has been a 98% reduction in the number of untested SAKs and an 87% reduction from 2021.



*Figure 1. Annual inventory of untested SAKs per year, including those located at law enforcement agencies, the Alaska Crime Lab, and private labs.*

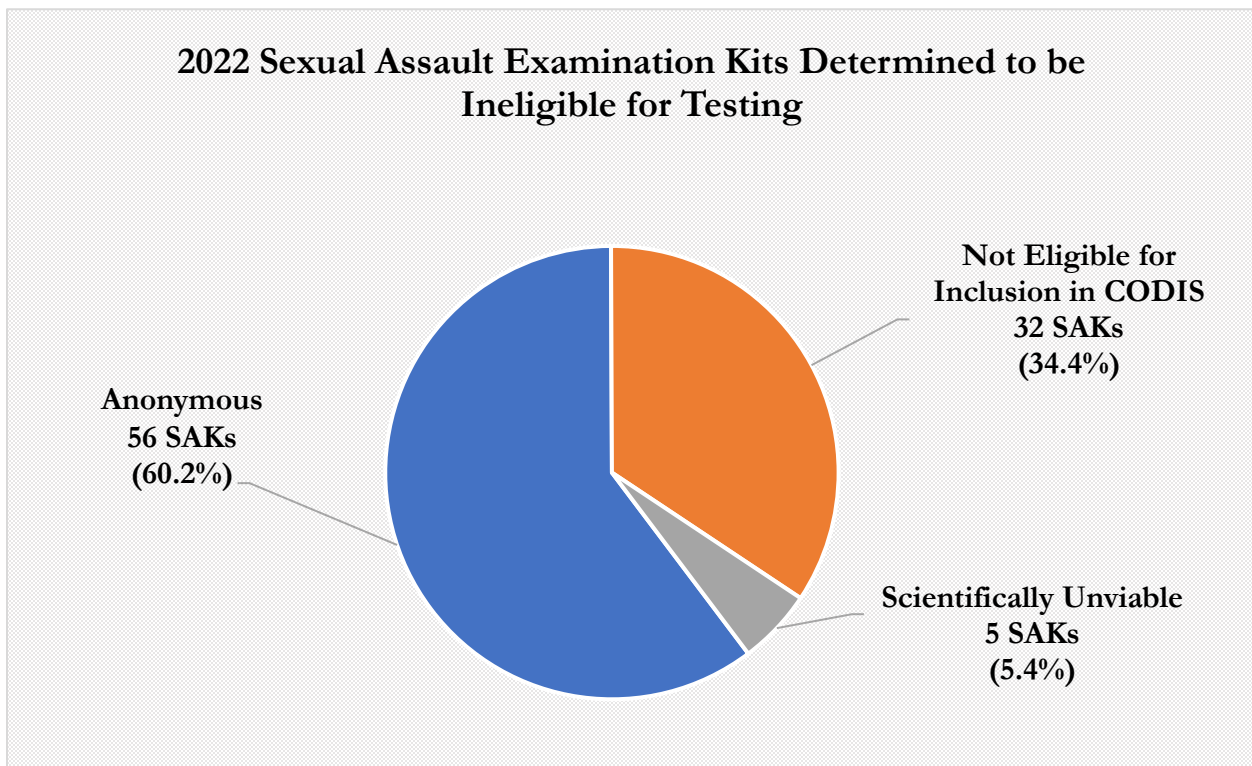
## 2022 Report on Untested Sexual Assault Examination Kits

### Sexual Assault Examination Kits Determined to be Ineligible for Testing

Between September 1, 2021, and August 31, 2022, **93 additional SAKs were determined to be ineligible for testing** per statute. These kits will be retained at the Crime Lab under the same evidence retention timeframes as all other SAKs. These SAKs are not included in the 2022 inventory of 75 untested SAKs because they are not being considered for testing.

AS 44.41.070(e) provides that a SAK is ineligible for testing if the law enforcement agency or state department finds that the kit:

1. Is scientifically unviable;
2. Does not meet eligibility requirements for inclusion in CODIS; or
3. Was collected from a person who reported a sexual assault anonymously.



*Figure 2. 93 SAKs not eligible for testing by reason for ineligibility.*

The number of SAKs determined to be ineligible for testing decreased by 32% since the 2021 inventory.

Ineligible for Testing Categories	2021 Inventory	2022 Inventory	% Change
Anonymous	76	56	-26%
Not Eligible for Inclusion in CODIS	31	32	3%
Scientifically Unviable	29	5	-83%
<b>TOTAL</b>	<b>136</b>	<b>93</b>	<b>-32%</b>

## 2022 Report on Untested Sexual Assault Examination Kits

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### Plan to Prevent Future Backlogs of Untested Sexual Assault Examination Kits

DPS's major initiatives to address untested SAKs and prevent future backlogs are:

1. Additional Staff to Reduce SAK Testing Turnaround Time

In 2021, DPS received additional funding to add more staff and resources to reduce the turnaround time to 90 days. The Crime Lab added six new permanent full-time staff and associated supplies to achieve this goal. These positions are currently making a significant impact on processing sexual assault kits. As a result, the average turnaround time for testing SAKs has gone from an average of 246 days in 2020 to an average of 70 days in State Fiscal Year 2022.

2. Case Review by a DPS Investigator

To further ensure compliance, all SAKs submitted to the Crime Lab by a law enforcement agency for storage only are reviewed by a DPS investigator to improve consistency among law enforcement agencies across the state and to ensure analysis is performed for every SAK that should be tested under the law. Additionally, the investigator follows up with law enforcement agencies to provide technical assistance and training on the requirements of the law for SAKs.

3. SAK Tracking Software System

DPS is working with a vendor to customize a tracking database to allow survivors and agencies involved in sexual assault response the ability to track the status and location of SAKs. The software will track SAKs from the point of distribution all the way through storage at the Crime Lab and include a portal for survivors to track their kit. With the onset of this tracking project, the State of Alaska will have successfully addressed all six pillars of reform regarding SAKs recommended by the Joyful Heart Foundation.<sup>1</sup>

The data tracked in this software will provide accurate measurements of turnaround times between each milestone, some of which are mandated in AS 44.41.065. Currently, there is no cohesive data set to aggregate turnaround times before kits arrive at the lab. Additionally, the system will enable DPS to track the SAK inventory in real time, alleviating the administrative burden on law enforcement agencies to fulfill annual inventory requirements and ensure compliance with AS 44.41.070.

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<sup>1</sup> Information about the Pillars of Reform can be found here: <http://www.endthebacklog.org/ending-backlog/state-responses>