



THE STATE
of ALASKA
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Department of Public Safety

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November 1, 2023

The Honorable Gary Stevens
Senate President
Alaska State Capitol Room 111
Juneau, AK 99801-1182
Senator.Gary.Stevens@akleg.gov

The Honorable Cathy Tilton
Speaker of the House
Alaska State Capitol Room 208
Juneau, AK 99801-1182
Representative.Cathy.Tilton@akleg.gov

Subject: 2023 Report on Untested Sexual Assault Examination Kits

Dear President Stevens and Speaker Tilton,

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 2023 inventory identified 113 untested sexual assault examination kits in the possession of the Alaska Scientific Crime Detection Laboratory.

Sincerely,


James E. Cockrell
Commissioner

2023 Report on Untested Sexual Assault Examination Kits

2023 Inventory of Untested Sexual Assault Examination Kits

In 2023, 44 law enforcement agencies maintained case jurisdiction on sexual assault cases in Alaska. In August 2023, 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 in accordance with AS 44.41.070. **All 44 law enforcement agencies complied with the inventory requirement.**

The 2023 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 **113 untested victim sexual assault examination kits**. Of the 113 untested victim sexual assault kits, 30 have an offense date prior to the reporting period (delayed submission or partially previously tested). No untested sexual assault kits that were eligible for testing were in possession of the associated law enforcement agency.

Since the inaugural inventory in 2017, there has been a 97% reduction in the number of untested sexual assault examination kits.

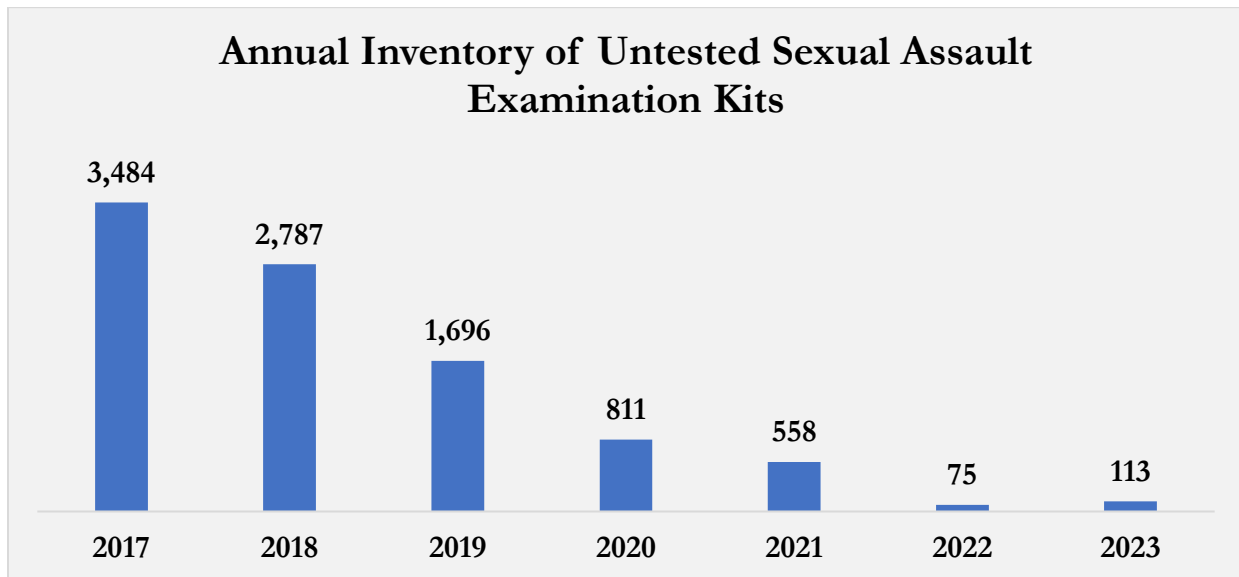


Figure 1. Annual inventory of untested SAKs per year, including those at law enforcement agencies, Alaska Crime Lab, and private labs.

2023 Report on Untested Sexual Assault Examination Kits

2023 Sexual Assault Examination Kits Ineligible for Testing

Between September 1, 2022 and August 31, 2023, **87 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 2023 inventory of 113 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.

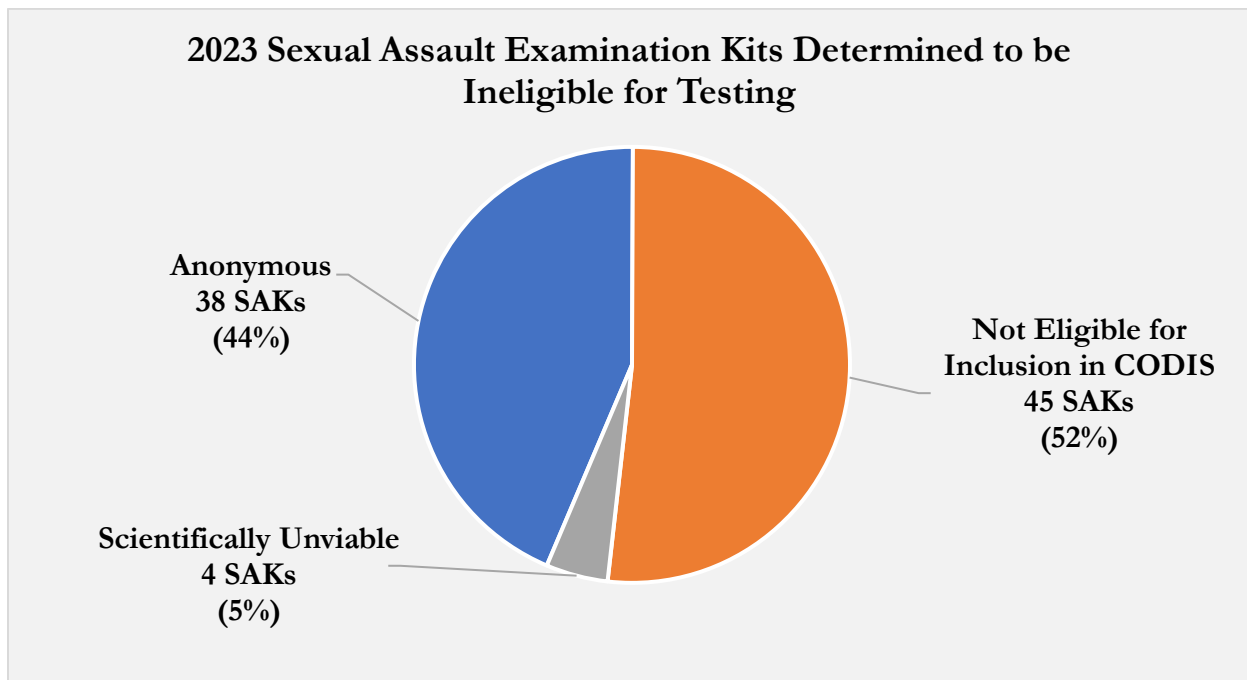


Figure 2. 87 SAKs not eligible for testing by reason for ineligibility.

The number of SAKs determined to be ineligible for testing decreased 6% since 2021 inventory.

Ineligible for Testing Categories	2022 inventory	2023 inventory	% Change
Anonymous	56	38	-32%
Not Eligible for Inclusion in CODIS	32	45	41%
Scientifically Unviable	5	4	-20%
TOTAL	93	87	-6%

2023 Report on Untested Sexual Assault Examination Kits

Plan to Prevent Future Backlogs of Untested Sexual Assault Examination Kits

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

1. Additional Staff to Reduce SAK Testing Turnaround Time

Over the last few years, we have been able to add new positions. These positions are currently making a significant impact to processing sexual assault kits. The average turnaround time for testing SAKs has gone from an average of 246 days in 2020 to an average of 62 days in state Fiscal Year 2022.

2. Case Review by a DPS Investigator

To further ensure compliance, all SAKs that are submitted to the Crime Lab by a law enforcement agency for storage only are reviewed by a DPS investigator. The investigator has been assigned by the Department of Public Safety, Office of the Commissioner 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 and provides technical assistance and training to the Department of Public Safety on the requirements of the law for SAKs.

3. SAK Tracking Software System

In spring and summer 2023, DPS implemented a tracking database to allow survivors and agencies involved in sexual response the ability to track the status and location of SAKs. The software tracks SAKs from the point of distribution all the way through storage at the Crime Lab.

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. Prior to this software, there was not a cohesive data set to aggregate turnaround times before kits arrived at the lab. Additionally, the system enables DPS to track the SAK inventory in real time alleviating the administrative burden from law enforcement agencies to fulfil requirements of the annual inventory as well as ensure compliance with requirements of AS 44.41.070.