The National Center for Victims of Crime is pleased to provide the slides used in our June 25, 2014 Webinar, “Untested Sexual Assault Kits: the Issue, the Impact, and the Response.”

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Untested Rape Kits: the Issue, the Impact, and the Response

Presented by:
Natasha Alexenko, founder of Natasha's Justice Project
Ilse Knecht, Director, DNA Resource Center, National Center for Victims of Crime
Rebecca O’Connor, Vice President, Public Policy, RAINN
A Survivor’s Journey for Justice
Natasha’s Justice Project’s mission is to eliminate the nation’s backlog of untested rape kits and empower survivors of sexual assault through education, advocacy and funding.
CCPO Cold Case DNA Task Force
Rape kit investigations completed Workflows 304 40%
Rape kit investigations in progress 451 60%
Rape kit investigations assigned 755 100%

Completed Rape Kits - Workflows
- Abated by Suspect’s Death - 18
- Consensual Partner - 23
- Insufficient Evidence - 22
- Previously Disposed - 92
- SOL Expired Prior to Invest - 6
- Sent to Grand Jury - 125
- Victims added to other matter - 18

Rape Kit Action Project
Putting DNA to Work for Justice and Safety
CCPO Cold Case DNA Task Force
Rape kit investigations completed Workflows 304 40%
Rape kit investigations in progress 451 60%
Rape kit investigations assigned 755 100%

Conviction Rate 69%
Pleas 45%
Trials 24%
Serial Rapists in Indicted Cases: 35

21%
“Untested Sexual Assault Kits” and “Backlogs”

• The two are often confused in the media and by law enforcement, victim advocates, and even lab personnel.
• Untested SAKs are separate and distinct from DNA backlogs at labs.
• Per DOJ, a backlogged sexual assault kit (SAK) = 30 days sitting at lab and not entered into CODIS.
• “Untested” or “unsubmitted” sexual assault kits – SAKs that are in LE evidence custody and were never forwarded to a lab for analysis.
How Many Untested Sexual Assault Kits Are Out There?
How Many SAKs Are There?

- No current national number of untested kits.
- “Backlogs” are not static.
- 400,000 kits?
- What DO we know about the numbers?
  - A 2009 DOJ-sponsored report found 18% of evidence related to unsolved rapes was not submitted to lab.
- We have to extrapolate from cities and states in the news.
December 1st, 2011

6,663 untested kits

Dating back to 1980s

HPD: 6,663 Rape Kits Untested
- The state of Texas – 20,000
- Memphis – 12,000
- Detroit – 11,000
- Houston – 6,660
- Cuyahoga County – 4000 (More across Ohio)
- Alameda County, CA – 2000
- Phoenix – 3000
- Denver, Colorado; San Francisco, CA; Hollywood, Florida; Salt Lake City, Utah.....
- New York City – 16,000 (testing complete)
- Los Angeles – 6,132 (testing complete)
Reasons for Untested SAKs

- Lack of resources - money, staff, new cases.
- CODIS, DNA testing not available.
- Known offender.
- “Uncooperative” victim.
- Lack of knowledge about DNA, databases, sex offender patterns.
- Lack of training re sexual assault.
Reasons for Untested SAKs

- Not taking sexual assault seriously.
- Not believing or blaming victims.
Joanie

“Just for once I would like to see an end to committee meetings and research. Just get it done.”
RKAP Legislative Push

- RKAP formed to support efforts to address untested SAKs through state legislation.
- Letter to legislators in December 2013.
Legislative Options

- Audit (count) untested sexual assault kits.
- Mandate submission and testing of old kits.
- Require testing of all/certain SAKs going forward.
Audit

- CA, LA, TN, and VA all recently enacted audits.
- Laws require a count and report to the legislature.
- Gives base for funding and further legislative action.
SAK Mandatory Testing

- Illinois (2010)
- Texas (2011)
- Colorado (2013)
SAK Mandatory Testing

View “Into the Lab” Webinar for more information on Illinois and Texas’s mandatory testing law.

VictimsofCrime.org/DNA/training
December 2013: RKAP Launches

RAPE KIT ACTION PROJECT
PUTTING DNA TO WORK FOR JUSTICE AND SAFETY

100,000 Faces. One Big Problem.

As the shocking number of assaults on women and children continues to climb, it is essential that we understand the magnitude of the problem. Each victim is a personal tragedy, and each offender is a potential threat to our future security. We must act now.

One is Too Many.

We don’t know—yet—exactly how many rape kits exist. In fact, every law enforcement agency that processes rape kits has a different method for counting them. This means that the largest numbers of untested kits are estimated. In some cases, the numbers are alarming. Thousands of untested kits have been identified across the country. Consider the following figures on untested kits:

- Arizona: 3,200 up to one year old
- California: 6,000 in Los Angeles County alone
- Colorado: 3,000
- Illinois: 4,000
- Ohio: 4,000 to 8,000 in Cleveland alone
- Michigan: 11,000 in Detroit
- Nevada: 4,000 in Clark County
- Tennessee: 9,000 in Memphis
- Texas: 20,000

What’s Being Done.

States like Colorado, New York, and Texas have taken legislative action to address the backlog problem on state and local levels. These states are implementing new laws to reduce the backlog and increase testing. One such law is the SAFE Act (S.183), which will help to reduce the number of untested kits and make resources available for better testing.

What’s Needed.

For every state to take action and reduce the backlog, there is a need for support from the state and federal governments. This support can include funding, legislative action, and technical assistance. The states need to work together to ensure that all communities have access to the resources they need to reduce the backlog.

Where to Start.

We formed the Rape Kit Action Project to help law enforcement agencies and victims by increasing awareness and funding for testing. We are committed to working with states to increase funding for testing and to reduce the backlog. We are also working with experts in the field to develop best practices for testing and to ensure that the process is as efficient and effective as possible.

Quick Facts.

Sexual Assault in the United States

- 1 in 6 women will experience a sexual assault in their lifetime.
- 90% of rape victims are women; 10% are men.
- 15% of all victims of sexual assault were children under the age of 12.
- Victims of sexual assault are more likely to suffer from depression, anxiety, and post-traumatic stress disorder.
- Victims are less likely to seek help, and when they do, it is more likely to be ineffective.

The Rape-Kit Backlog

- The Department of Justice estimates there are about 300,000 rape kits in the United States awaiting testing.
- The backlog is a financial burden on the judicial system, causing costs to increase. For example, in the state of Maryland, it costs approximately $120,000 to test a single kit.
- The backlog is also a human rights issue, as victims are waiting for justice.

Ready to Act? Need More Information?

Contact us at 1-800-656-4785 for more information. Information, case examples, training materials, and resources are provided by the United States Department of Justice, Office of Justice Programs.
Federal Efforts
Reauthorizing the Debbie Smith Act

Debbie Smith Act (Debbie Smith DNA Backlog Grant Program) 42 U.S.C. § 14135

- Grants to states and local units of government to support DNA casework, capacity building, and transparency/audits.
- Time to reauthorize!

SAFER Act P.L. 113-4

- Amended the Debbie Smith Act to increase available funding for capacity building and casework activities
- Authorizes grants for law enforcement audits
Fiscal Year 2015 Federal Budget

• DNA Funding
  • President’s budget proposal: $100 million
  • House budget: $125 million
  • Senate budget proposal: $125 million

• New proposal:
  • $41 million for efforts to address rape-kit backlog concerns
Thank You For Participating

Rape Kit Action Project Team:

Natasha S. Alexenko – nsa@natashasjusticeproject.org
Founder & Spokesperson, Natasha’s Justice Project

Rebecca W. O’Connor – rebeccao@rainn.org
VP, Public Policy, RAINN

Ilse Knecht – iknecht@ncvc.org
Deputy Director, Public Policy, National Center for Victims of Crime