Attachment 2

Idaho State Police

Service Since 1939

Colonel Ralph W. Powell
Director

C.L. "Butch" Otter
Governor

To: Idaho Legislature, Idaho Prosecutors, and Idaho Law Enforcement Agencies

From: Matthew Gamette, ISP Forensic Services Laboratory System Director

Subject: Idaho Sexual Assault Kit Survey 2016

Date: December 21, 2016

Idaho Code 67-2919 became effective on July 1, 2016 requiring that Idaho State Police Forensic Services (ISPFS) provide a one-time report to the Idaho Legislature of all untested sexual assault evidence collection kits existing in Idaho. This one-time report was due on or before 12/28/2016 and ISPFS completed and posted this data on the ISPFS website on 12/21/2016. We want to thank every law enforcement agency in Idaho for completing this audit and the thorough approach each agency took to address this issue. Without exception, Idaho law enforcement agencies have proactively engaged to solve this problem and by all indications are now complying with the new state statute for determining when and how kits need to be submitted to ISPFS for testing. The data from each agency has been reviewed by the appropriate county prosecutor and the prosecutorial review process will be maintained from this point forward.

In addition, ISPFS is required to provide a legislative report on sexual assault kits in Idaho on or before January 20th (and every year thereafter). The 2017 report (for calendar year 2016 data) is also now available on the ISPFS website.

Further, ISPFS is required to report how many sexual assault kits are currently in the laboratory that have been in the laboratory more than 90 days. That number today (12/21/2016) is 36 kits. This does not include the 541 unsubmitted kits identified in the 2016 state legislative survey.

ISPFS has been very proactive on this issue for several years. Our first request for law enforcement agencies to address this issue was in June 2014. In September 2014 ISPFS started working with Idaho agencies to send kits to the FBI laboratory and also started to work many of these cases in the ISPFS laboratory. Since September 2014, the FBI laboratory has worked 246 previously unsubmitted sexual assault kits from Idaho. Since September 2014 the ISPFS lab has worked approximately 336 sexual assault kits. ISPFS has been working with the eight law enforcement agencies in Idaho that have the largest numbers of unsubmitted kits to get assistance from the FBI laboratory. We anticipate that over the next year the FBI laboratory will work at least 240 of the 541 unsubmitted kits that remain in Idaho. ISPFS will begin to work with law enforcement agencies in Idaho in January 2017 to bring in the additional 301 kits over time until the project is completed. ISPFS will do everything we can possibly do to address these additional kits while not negatively impacting the other DNA case submissions needed for current court cases. Improvements to methods and additional staffing will help address this critical need and we will continue to work with the Governor and Idaho Legislature to evaluate appropriate staffing levels in the DNA unit of the laboratory. We appreciate the efforts of the executive, judicial, and legislative branches of government in Idaho for their support of the ISPFS laboratory. It makes a huge difference in what we can accomplish!

The Idaho Sexual Assault Kit Tracking System (IKTS) has been completed and training has commenced. Hospitals, clinics, law enforcement agencies, and prosecutor's offices will be trained on the web-based software in January and February of 2017. This software will allow ISPFS to track kits from distribution all the way through the collection, testing, and retention process. ISPFS will be contacting customers soon regarding training opportunities and implementation.

Totals for All Data

Total # of Agencies	116
Total # of Agencies That Did Not Participate in Audit	0
Total # of Kits in Agency Possession	2538
Total # of Tested Kits	1422
Total # of Completed Tests	1203
Total # of In-Progress Tests	219
Total # of Untested Kits	1116
Total # of Anonymous or Unreported Kits	47
Total # of Kits Determined No Crime Was Committed	191
Total # of Kits No Longer Being Investigated as Crimes	271
Total # of Kits Where Victim Expressly Declined Testing	66
Total # of Kits Still Required to Be Submitted for Testing	541

Additional Kit Data

Number of Sexual Assault Kits Purchased by ISPFS in 2016	512	*Not all kits purchased in one fiscal year are distributed in the same fiscal year
Number of Sexual Assault Kits Distributed by ISPFS in 2016	271	
Number of Sexual Assault Kits Tested by ISPFS in 2016	126	
Number of Sexual Assault Kits With Analysis Pending in 2016	77	
Number of DNA Database Hits from Sexual Assault Cases in 2016	Data not yet available due to limited software capabilities. Data will be available for 2017 on the report due January 2018.	*Kit tracking software has not been implemented in Idaho yet