



# DNA Backlog Clearance Project

Volume 2, Issue 1: February 2015

## Focus of update:

This newsletter is designed to provide regular updates pertaining to the DNA Backlog Clearance Project. The project will continue until all testing is complete, reports issued by the external vendors, technical reviews finalized, and investigative follow up conducted. This edition will focus on updating stakeholders on progress made thus far on the investigation stage of this project.

### CODIS Entries

CODIS entries to date	<b>2,756**</b>
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\*\* These cases represent those where a profile was developed meeting CODIS guidelines and a CODIS entry has been completed.

### Serving as a Model

It seems one cannot go a week without seeing an article or hearing sound bite about “backlog” developments. We hear a new city has publically stated they have untested kits, or another jurisdiction has announced the final count of their audit. The media attention on untested SAKs seems to be at an all-time high. As such federal and local government funding sources have emerged around the country to combat these issues. Although the media coverage has brought this issue into households, it appears the full story is not being told.

Too frequently the narrative of untested sexual assault kits begins as a “discovery” as if it’s a surprise. For most jurisdictions this is simply not the case; kits were not submitted for many reasons—technological and financial limitations, no direct case benefit at hand (mainly, when the suspect was an intimate partner). The element of surprise tends to be hyped to avoid liability. Additionally, this story of the “backlog” concludes when all SAKs are analyzed at a lab. However, the consumer does not get the opportunity to ask: *What happens to the case after the kit is analyzed?*

The Houston story reads differently: for many years both the Crime Lab and HPD sought outside funding to test the untested SAKs. It was less of a surprise discovery, and more of a need that required additional resources. Once funding was fully secured, every single SAK was analyzed at a lab.

Additionally, the Houston story did not end with testing. Every single case associated with every analyzed SAK was touched—reviewed by an officer, lab results updated, and investigation resumed when appropriate. This has not been an easy process, but one that is important to tell as a complete and accurate story.

### Investigative Follow-Up Case Assignment:

	Assigned	Completed
CODIS Matches <sup>1</sup>	729	667
CODIS Ineligibles / Negatives <sup>2</sup>	5019	4991
CODIS Eligibles <sup>3</sup>	276	163
<b>Total to Date</b>	<b>6024</b>	<b>5821</b>

### Investigative Follow-Up Results:

	False Arrest	Arrest Confirmation	New Charges
<b>Total to Date</b>	<b>0</b>	<b>75</b>	<b>29</b>

Note: These figures refer exclusively to the City-funded portion of the DNA Backlog Clearance Project.

<sup>1</sup> DNA profile identified through DNA analysis, resulted from either a direct CODIS hit (individual) or linked to another case.

<sup>2</sup> Lab analysis provided no evidentiary leads. Testing complete.

<sup>3</sup> Lab analysis has identified possible DNA evidence. Multiple outcomes possible, including entering unknown profile(s) into CODIS. Testing in-progress.

### The Texas Standard

With the continued media coverage of untested sexual assault kits, policy makers are getting involved. This includes creating and promoting funding sources, and establishing legislation to standardize the testing of SAKs.

Texas legislatures were ahead of the curve with the passage of SB 1636 (effective Sept 2011), which stated that all SAKs received by law enforcement were to be sent to an accredited crime lab for analysis. Texas is in good company with California, Illinois, and Colorado with this type of legislation, but news has spread that Houston is practicing what they preach.

Recently, our very own Assistant Chief M. E. Lentschke was contacted by a state representative from Washington state. Chief was asked to provide testimony in favor of law enforcement jurisdictions testing all SAKs received, Washington is currently working on passing this bill. Additionally, HPD leadership involved in the SAK project was contacted for their interest in participating in a congressional briefing on Capitol Hill. The Houston SAK Project is setting the standard for best practices with untested SAKs.