

FAQ

Q: What is a sexual assault forensic evidence (SAFE) kit?

A: SAFE kits are used by medical personnel to collect and preserve evidence after an allegation of sexual assault. Kits can be used to collect and store evidence such as clothing fibers, hairs, saliva, semen, or bodily fluids, which may help identify the attacker or strengthen a prosecutor's case during a criminal trial.

Q: What is the process of testing SAFE kits in Kentucky?

A: After a sexual assault occurs, victims may choose to be examined at a local hospital where medical personnel will use SAFE kits to collect and store evidence. The exams are highly invasive and time consuming and often re-traumatize victims. The kits are then passed on to local law enforcement, which has the option to send the kits to be processed at the Kentucky State Police (KSP) crime lab at no cost. Due to limited resources, there is currently an estimated six to nine month backlog for testing SAFE kits. After the kits are tested, they are then sent back to local law enforcement to use in the sexual assault investigation.

Q: Why are some SAFE kits not sent for testing?

A: There isn't a clear answer. Complexities involved in investigating sexual assault may cause confusion among individual law enforcement entities. Auditor Edelen anticipates that his office's investigation will uncover more specific reasons as to why some SAFE kits don't make it to the KSP Forensic lab for testing.

Q: How many untested sexual assault kits are in Kentucky?

A: The Office of Auditor Edelen is currently investigating an official count. KSP estimates there are hundreds, if not thousands of untested sexual assault kits in possession of law enforcement.

Q: Why is the state auditor taking on this initiative?

A: The Kentucky State Auditor's job is to evaluate not only the efficiency of how our government uses state resources, but also the integrity of how those funds are allocated for the people of the Commonwealth. Supporting public safety should be the top priority of our government. Auditor Edelen intends to make certain our law enforcement agencies have the funding and legislation necessary to help keep our citizens safe, and ensure justice across the state.

It is also known that a significant aspect of the State Auditor's job is counting. Conducting an official count of the number of untested kits is the first step towards reform. Auditor Edelen's investigation will also examine the underlying reasons certain kits never get tested to offer reforms so this problem doesn't happen again.

Q: How will having an official count of the number of untested SAFE kits help solve the issue?

A: Assessing the number of untested kits will allow the KSP Forensic Laboratory to pursue millions of dollars in grant money available through the federal government and nonprofit foundations. This increase in funding will help the organization obtain the resources needed to clear the backlog of kits awaiting analysis at the lab, as well as many of those in the hands of local law enforcement.

Q: Is this a problem elsewhere in the country?

A: Unfortunately, yes. Cities such as Detroit, Houston, New York City and Fort Worth have implemented similar counts, which led to the identification and conviction of hundreds of serial rapists. After testing 6,600 kits that had gone untested for years, law enforcement in Houston discovered 850 matches in the national database. So far, charges have been filed against 29 people, six of whom have already been convicted.

In Detroit, law enforcement has begun testing its 11,000 backlogged untested kits. According to the prosecutor's office, 188 potential serial rapists have been identified after testing only the first 2,000 kits.

Houston and Detroit are prime examples of how tackling this issue head-on can lead to the conviction of criminals who have committed horrible crimes. Most rapists, in fact, are serial rapists who also commit crimes like burglary, robbery and domestic violence. Clearing the backlog of untested kits in Kentucky and speeding up the testing process will help law enforcement officials identify and convict criminals before they have the chance to act again.