

Department of Justice HB356 Report on Backlog of Sexual Assault Kits

The legislature expressed its concern that the backlog of testing on sexual assault kits must be eliminated as soon as possible. It has provided one-time-only funding in fiscal years 2022 and 2023 to provide additional resources to the department of justice to complete this work. No later than September 1, 2022, the department shall report to the legislative finance committee on the number of sexual assault kits evaluated in fiscal year 2022 and the work remaining to eliminate any backlog.

In FY 2022, the Montana State Crime Lab processed **481** Sexual Assault Kits (SAK). There were **376** SAK cases that were worked in the lab, and **105** SAK cases that were outsourced. Fifty-five of the 105 cases outsourced used the funding provided in FYs 2022 and 2023.

Currently, there are **84** SAK cases the Lab has in-house. Of these cases, **63** are backlogged by more than 30 days, and **21** cases are within 30 days. As per National and NIJ guidelines, a SAK is considered “backlogged” when it has been *at the lab* for more than 30 days.

Moving forward, the Lab should have a sustainable workflow so long as staffing remains stable and any unforeseeable issues (kit problems, instrument failures, etc.) are kept at bay. The SAK’s are screened quickly after they are submitted and then are moved to DNA if needed or the cases is closed.

For any questions concerning processing of Sexual Assault Kits, please contact Travis Spinder, Director of the Montana State Crime Lab. Mr. Spinder can be reached at (406) 329-1127 or by email at tspinder@mt.gov.