

RESULTS OF DNA PROCESSING OF UNSELECTED SEXUAL ASSAULT EVIDENCE

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Sexual assault kit backlogs are at the forefront of controversy in the forensic science community. A number of jurisdictions across the country have reported backlogs of thousands of untested sexual assault kits in law enforcement property rooms or laboratory evidence storage. There are differing opinions as to the usefulness of forensic testing in these backlogged cases. Community groups, victim's rights advocates and some victims have called the backlogs justice delayed or denied. Studies by others are underway to test the backlogged evidence and to determine if timely analyses would have been helpful. We present a retrospective study of the testing of all sexual assault evidence without delay collected in the jurisdictions served by the Forensic Genetics Laboratory of the Harris County Institute of Forensic Sciences (HCIFS).

The HCIFS serves approximately 2,000,000 of the 4,000,000 people in Harris County outside the City of Houston, providing forensic DNA testing services to more than 60 law enforcement agencies. HCIFS policy requires all collected sexual assault kits to be submitted directly to the laboratory without being sent first to the property room of the submitting agency. HCIFS tests all evidence within approximately 60 days and has no backlog of untested kits. The purpose of this study is to identify the outcomes of a set of completed and adjudicated sexual assault cases. The study is unique in that it includes *all* collected sexual assault cases, not just those for which DNA testing was not originally requested.

Cases received during 2010 were assessed for this project. For each of these cases, information was gathered from the complainant's narrative from the kit's medical report, law enforcement offense records, DNA reports, CODIS hit information, and court records. Data included whether a sexual assault kit was collected and the amount of time that elapsed between the assault and the evidence collection. Complainant and suspect information included their ages and relationship, if any. The assaults were categorized by a large number of variables including whether there was evidence of drug-facilitated sexual assault, whether the suspect ejaculated and whether the victim knew the attacker. DNA results documented whether a suspect known was submitted for comparison, whether semen and/or male DNA was detected, and whether the suspect known matched a profile in the evidence. Additionally, the final disposition of the case and the number of CODIS offender hits and forensic hits were also tracked.

Preliminary data indicates that foreign DNA was detected in 60% of cases. A profile was entered into CODIS in 83% of these cases. A CODIS offender hit or forensic hit was returned in 24% of the cases, and 45% of the offender hits in these cases were to offenders not identified during the investigation. The preliminary data show that charges were filed in 35% of the cases. Conference attendees will be provided comprehensive information from the data set. The value of DNA testing of all sexual assault kits collected versus testing of only selected kits will be discussed. ☞