



# SEMIANNUAL SEXUAL ASSAULT KIT INITIATIVE REPORT

In response to Nevada's backlog of nearly 8,000 untested sexual assault kits, Attorney General Adam Laxalt created a statewide Working Group comprised of forensic scientists, local investigators, prosecutors, health care professionals, victim advocates, legislators and other criminal justice partners to address the backlog. The following report houses information on the progress of this working group.

Adam Paul Laxalt  
Nevada Attorney General

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## **The Nevada Attorney General's Sexual Assault Kit Initiative Report**

In response to a letter of intent dated September 29, 2017 from the Senate Committee on Finance and the Assembly Committee on Ways and Means, the Office of the Nevada Attorney General (OAG) submits this report. The report details the progress of Attorney General Adam Paul Laxalt's Sexual Assault Kit Backlog Working Group created to reduce Nevada's decades-in-the-making sexual assault kit backlog. The report provides historical background on the backlog, a summary of the progress made under AG Laxalt's leadership, and an update on significant developments within the initiative between January 1, 2018 and June 30, 2018. The report also includes statistics on the number of backlogged kits tested, DNA profiles uploaded to the Combined DNA Index System (CODIS), CODIS hits obtained, arrest warrants issued, arrests made, and prosecutions initiated by county district attorneys.

As the Legislature is well aware, AG Laxalt has led the charge on Nevada's Sexual Assault Kit Initiative (SAKI). The OAG has dedicated nearly \$3 million in non-taxpayer settlement funds to build lab testing capacity and to fund testing of outsourced kits. Additionally, the OAG—on behalf of Nevada—has been awarded three competitive federal grants totaling approximately \$4.9 million from the Bureau of Justice Assistance's Sexual Assault Kit Initiative. AG Laxalt is proud that Nevada is the only one of two statewide agencies to have been awarded a new SAKI grant for each of the three SAKI grants. These funds are allocated towards inventorying and testing previously untested sexual assault kits throughout the state, in addition to funding investigations, victim services, prosecution activities, professional training for best practices in the response to sexual assaults, and the collection and testing of lawfully-owed DNA samples.

The OAG will continue to explore creative ways to fund this initiative with the intent of reducing untested backlogged kits throughout the State. Nevada's sexual assault kit backlog took decades to create, and will take years of continued hard work and resources to permanently reduce the number of untested kits. *To date, approximately 83% of backlogged sexual assault kits in Nevada have been sent for testing. Once testing is conducted on these kits, it will represent approximately 25 years of forensic work completed in approximately three years.* The OAG is proudly dedicated to this mission.

### **The History of the Sexual Assault Kit Initiative in Nevada**

#### **The 1980s to 2017 – The Backlog and AG Laxalt's Sexual Assault Kit Initiative**

For decades, certain sexual assault kits in Nevada went untested causing a backlog of untested kits to accrue. There are many complex reasons for this backlog, including financial and human resource constraints, the advent of advance DNA technology that was not previously available, and the manner in which sexual assault cases were investigated and tracked in the past. Recognizing the need to rectify this problem, shortly after taking office, AG Laxalt assembled a statewide coalition to find solutions to reduce the decades-in-the-making backlog. The Sexual Assault Kit Backlog Working Group (Working Group) includes stakeholders from state and local law enforcement, forensic laboratories, prosecutors, legislators, victim advocates, researchers, and sexual assault nurse examiners.

The Working Group collectively addresses policy matters associated with testing of the kits for local governments including: victim notification, statewide training, resources for victims, testing of sexual assault kits collected in connection with a crime, entering all eligible DNA profiles into CODIS, following up on investigative leads, identification of subjects, prosecuting cases associated with these kits, collecting data for academic research, and identifying statewide resources, processes and legislation to prevent future backlogs.

Since the Working Group's formation, the group has met approximately every quarter. One of the first objectives of the Working Group was to audit the number of untested sexual assault kits statewide. Initially, Nevada was reported to have approximately 6,500 untested sexual assault kits. However, through letters and calls to agencies around the state, the Working Group discovered that the number of backlogged kits totaled approximately 7,645. This included kits dating back to the early 1980s.

### **Federal Grant and OAG Settlement Funds Obtained for the Sexual Assault Kit Initiative**

After the large number of backlogged sexual assault kits was identified, the OAG began looking for ways to fund the testing of these kits without using taxpayer dollars. On May 5, 2015, the OAG applied to the Bureau of Justice Assistance for a 2015 federal SAKI grant. The OAG's application included a proposal to inventory and test backlogged sexual assault kits, arrange victim services for the necessary notifications and psychological needs for those victims, and investigate the results of any CODIS hits from those tested kits. The application focused on the geographical and jurisdictional area covered by the Las Vegas Metropolitan Police Department Crime Lab, and included the Douglas County Sheriff's Office, who self-selected to be included in this project. The goal of the application was to effectively reduce the number of untested sexual assault kits and build a framework to ensure that a backlog of untested kits would not develop again in the future. On September 10, 2015, the Bureau of Justice Assistance awarded the OAG \$1,983,533 pursuant to its application. On July 8, 2015, following an investigation of Chase Bank, USA N.A. and Chase Bankcard Services, Inc. (collectively, "Chase") concerning their business practices, the OAG and Chase reached a settlement agreement to address the OAG's claims that Chase engaged in multiple violations of Nevada's Deceptive Trade Practices (the "Chase Settlement.") The terms of the Chase Settlement are found in the Assurance of Discontinuance filed in the Eighth Judicial District Court, Clark County, Nevada. Using this OAG settlement along with the grant funding, the OAG was able to pledge over \$3.68 million towards its sexual assault initiative.

On December 16, 2015, the OAG presented two work programs to the Nevada Legislature's Interim Finance Committee for approval. The first work program proposed the addition of \$1,983,533 in federal Sexual Assault Kit Initiative grant funds to assist recipients with inventorying and reducing current backlogs for sexual assault kits, as well as developing policies, procedures and practices to resolve cold cases and prevent future backlogs from developing. The second work program proposed that proceeds of the Chase Settlement be allocated to the Washoe County Sheriff's Office Forensic Laboratory and the Las Vegas Metropolitan Police Department Forensic Laboratory for outsourcing the testing of backlogged sexual assault kits. The work programs were unanimously approved.

On April 26, 2016, the OAG applied to the Bureau of Justice Assistance for a 2016 federal Sexual Assault Kit Initiative grant. The OAG's application included: a proposal to address the statewide issue of untested sexual assault kits; increase investigation and prosecution resources statewide to address CODIS hits; assess statewide policies and practices relating to sexual assault and its victims; develop supportive victim-centered, trauma-informed responses to sexual assault; and provide systemic training and assistance with the goal of forming effective community partnerships and implementing policies and practices to ensure that backlogs of untested kits do not develop throughout the state in the future. On September 26, 2016, the Bureau of Justice Assistance awarded the OAG \$1,962,414 pursuant to its application. On or about December 17, 2016, the OAG presented a work program related to the 2016 SAKI grant to the Nevada Legislature's Interim Finance Committee for approval. The work program sought authorization to expend the federal grant funds on the project. It was unanimously approved.

Subsequently, on May 31, 2016, the OAG applied to the National Institute of Justice for a 2016 Sexual Assault Forensic Evidence - Inventory, Tracking and Reporting (SAFE-ITR) grant. The OAG's application included a proposal to address research and implementation of sexual assault kit tracking and record-keeping systems. Thereafter, the OAG presented a work program related to the SAFE-ITR grant to the Nevada Legislature's Interim Finance Committee for approval. The approved work program sought authorization to expend the \$523,268 federal grant funding on the project.

The funding obtained by and provided from the OAG is sufficient to fund the testing of every sexual assault kit in the backlog obtained by law enforcement on or before December 31, 2014.

### **The 2017 Legislative Session – AB 55 and AB 97**

To ensure that AG Laxalt's commitment to both reduce Nevada's backlog of untested kits and indefinitely commit Nevada to honor future victims and survivors of sexual assault through mandatory kit testing, his office proposed Assembly Bill (AB) 55. Pre-filed with the Nevada Legislature's Assembly Judiciary Committee on November 17, 2016, AB 55 was developed with input from the Working Group, and provided that all law enforcement agencies must submit a sexual assault kit to the applicable forensic laboratory for testing not later than 30 days after they receive a kit. Furthermore, each forensic laboratory was mandated to test a sexual assault kit they received not later than 180 days after taking custody of the kit.

On February 2, 2017, Assembly Bill 97, a measure proposed by members of the Nevada Legislature, was filed. Although the language of AB 97 originally mirrored the language of AB 55 in many respects, the final version of AB 97 contained certain differences. First, the period of time in which a forensic laboratory was required to test a sexual assault kit it received was reduced from 180 days to 120 days. Second, AB 97 mandated that the Sexual Assault Kit Backlog Working Group designate a department or division of state government to establish a statewide program to track sexual assault kits, and provide a recommendation to the governor and the Subcommittee to Review DNA of the Advisory

Commission on the Administration of Justice on or before July 1, 2021. Finally, AB 97 appropriated \$3 million from the State general fund to the OAG to form interlocal agreements with public entities for the purpose of making payments to forensic laboratories toward reducing the backlog of sexual assault kits that have not been tested in the state. On June 8, 2017, Governor Sandoval signed AB 97 into law.

The very day that AB 97 was signed into law, the OAG, in conjunction with members of the Sexual Assault Kit Backlog Working Group, solicited information from the Washoe County Sheriff's Office Forensic Laboratory and the Las Vegas Metropolitan Police Department Forensic Laboratory concerning appropriate funding levels needed to conduct tests on untested sexual assault kits received on or after January 1, 2015. The Washoe County Sheriff's Office Forensic Laboratory and the Las Vegas Metropolitan Police Department Forensic Laboratory submitted funding requests totaling approximately \$1,641,617 and \$2,709,288, respectively. Accordingly, the \$3 million appropriation within AB 97 was insufficient to fully address the needs of the Washoe County Sheriff's Office Forensic Laboratory and the Las Vegas Metropolitan Police Department Forensic Laboratory.

### **AG Laxalt's Progress Between January 1, 2018 to June 30, 2018**

#### **State Funding to the Clark County and Washoe County Laboratories to Prevent Recurring Backlogs**

In an effort to augment the appropriation within AB 97 and to test kits received by the Clark County and Washoe County forensic labs after January 2015, AG Laxalt proposed allocating an additional \$1,350,905 from OAG non-taxpayer settlement dollars to Clark and Washoe Counties.

On June 27, 2017, a mere 19 days after AB 97 was signed, the OAG submitted its proposal for the allocation of OAG funds to the Interim Finance Committee. On August 24, 2017, the Interim Finance Committee of the Nevada Legislature unanimously authorized the OAG to implement AG Laxalt's proposal to use non-taxpayer settlement funds to assist Clark County and Washoe County with their efforts to reduce the backlog of sexual assault forensic evidence kits that had not been tested.

Following Interim Finance Committee approval, on October 10, 2017, the OAG and the Washoe County Sheriff's Department entered into a contract for the amount of \$1,641,617. The contract permitted Washoe County to spend a mixture of non-taxpayer settlement monies from OAG funds and the general fund appropriation from AB 97. Based on the Washoe County Sheriff Department's stated needs, the contract authorized spending for the expansion of the Washoe County crime lab to accommodate six new DNA criminalists also funded through this contract. In addition, the contract provided for consumable supplies to test kits in-house, as well as funds for outsourcing kits to be tested at other labs. In total, this contract provides for the testing of nearly 1,000 kits, and will help Washoe County maintain compliance with AB 97 moving forward.

Months later, the Clark County Commission approved a similar contract. Subsequently, on December 12, 2017, the OAG and the Las Vegas Metropolitan Sheriff's Department entered

into a contract for the amount of \$2,709,288. The contract permitted Clark County to spend a mixture of non-taxpayer settlement monies from OAG funds and the general fund appropriation from AB 97. Based on the Las Vegas Metropolitan Police Department's (LVMPD) stated needs, the contract authorized spending for outsourcing kits to be tested at other labs, and the hiring of three Forensic Lab Technologists. The contract funds the testing of nearly 1,575 kits, and will help the Las Vegas Metropolitan Police Department maintain compliance with AB 97 going forward.

Since the approval of these contracts, the Washoe County lab has hired five out of six criminalists budgeted. These criminalists are currently in training, and will eventually be used to test incoming sexual assault kits (among other DNA casework) going forward. Once trained, the criminalists will assist the Washoe County lab in meeting the 120 days mandatory testing deadline mandated by AB 97. Moreover, the Washoe County lab has been working with the City of Reno related to permitting, and has now finalized construction plans. The construction will help the Washoe County lab build capacity for testing kits in-house. The lab is scheduled to "break-ground" on construction before November 2018.

Pursuant to its funding contract with the OAG, LVMPD has hired all three forensic lab technologists. The forensic lab technologists started training on July 2, 2018. They are expected to complete training on schedule in January 2019, and will begin lab work after that. Additionally, pursuant to the LVMPD/OAG contract, LVMPD is continuing to outsource untested sexual assault kits it has received after January 1, 2015. More specifically, of the 1,809 kits that LVMPD has collected since that time, it has outsourced and tested 747 kits, and entered 203 profiles into CODIS. There have been 78 hits thus far.

AG Laxalt is proud to provide statewide leadership on an issue that has persisted at the county level for decades.

### **Nevada's Sexual Assault Website**

After months of hard work, collaboration, and web-development, on May 10, 2018, the OAG's SAKI website, [endnevadasbacklog.ag.nv.gov](http://endnevadasbacklog.ag.nv.gov), went live. One of AG Laxalt's goals in establishing the Working Group was to ensure survivors of sexual crimes are provided with a website housing information and resources tailored to their needs. The website and accompanying information was also distributed to all members of the Working Group, along with statewide agencies and victim advocates, who have included links to the website on their respective pages.

The website's homepage provides monthly statistical information tracking the progress of Nevada's sexual assault kit testing initiative, including the most current numbers on how many backlogged kits have been sent to labs for testing, have completed testing, have resulted in DNA matches, and have culminated in arrests. Users can also click on the "Get Help" tab on the homepage to obtain information on how to report a sexual assault, what they can expect from a medical examination, where they can obtain an examination, and more. It also includes information for travelers who may want a private screening, with a link to a TSA Notification Card that can be provided to TSA at the airport. The website was

designed with the needs of survivors in mind and includes an “Escape Site” tab giving users a quick and disguised exit from the website.

Other featured tabs include information on Nevada’s backlog of untested sexual assault kits, a demonstration of how sexual assault kits are used to collect DNA samples for testing, and information on the goals and objectives of Nevada’s statewide Sexual Assault Kit Backlog Working Group. The website also includes a “Resources” tab, guiding users through information and accompanying websites for all of Nevada’s law enforcement agencies, as well as national, statewide and local resources available to survivors of sexual crimes. A map of Nevada categorized by county provides a specific breakdown of the related resources by county for users to gain quick and easy access to this much-needed information. Additional information can be found on the website regarding what constitutes sexual assault, the timeline for making reports with local law enforcement, information on rights victims of crime are entitled to, and related legislation and reports.

As part of AG Laxalt’s commitment for the OAG to provide additional services at a lower cost to the taxpayers, the office completed the development of this website with existing staff. In total, this expansive website – which includes multiple pages of specially designed content for victims and survivors – cost the OAG approximately \$1,500. The website has been widely viewed as informative and successful.

### **Training to Improve Responses to Evidence Obtained from Tested Kits**

The OAG and the Working Group seek to assist in training efforts wherever possible. During the relevant time period for this report, the LVMPD has been actively developing a training module for patrol officers regarding the proper response to reports of sexual assault. The training includes a victim-centered approach and trauma-informed behaviors. LVMPD is also developing a training video to assist officers and victim advocates with contacting victims of cold sexual assault cases that are being re-opened. In early 2018, SAKI partners from the Reno Police Department, the Henderson Police Department, LVMPD, the University of Nevada Las Vegas, the Clark County District Attorney’s Office and the Nevada Department of Corrections attended additional meetings to receive training related to Nevada’s SAKI project. Meetings attended included the Bureau of Justice Assistance’s Annual SAKI Grantees’ Meeting, and the Smart Suite Researcher Practitioner Fellows Academy. Both meetings included training in the areas of victim engagement, investigative techniques for cold cases, prosecution strategies, statistical and research options and many other areas, as well as opportunities to network and strategize with other SAKI grantees around the country. This training is being funded in part by BJA through SAKI grants and will remain ongoing throughout 2018.

### **Establish Policies for Evidence Collection, Testing, and Tracking**

As noted above, the OAG received a grant from the National Institute of Justice in January 2017 entitled Sexual Assault Forensic Evidence – Inventory, Tracking and Reporting (SAFE-ITR) in the amount of \$523,268. Additionally, AB 97 mandates that the Sexual Assault Kit Backlog Working Group designate a department or division of state government

to establish a statewide program to track sexual assault kits. Under the guidance of AG Laxalt, the Working Group has endeavored to use the SAFE-ITR grant as a “head-start” to comply with the requirements within AB 97. Namely, the OAG has sought to obtain software which will initially be utilized to track sexual assault kits by the two state forensic labs—Washoe County Sheriff’s Office Forensic Laboratory and Las Vegas Metropolitan Police Department Forensic Laboratory—with the possibility of enhancing the software to meet the needs of AB 97.

To that end, in the March 2018 Working Group meeting, more than three years ahead of AB 97’s 2021 deadline – AG Laxalt announced that the Department of Public Safety (DPS) would manage the State’s sexual assault kit tracking system. An official designation letter was sent out in May of this year. The designation allows DPS to manage the tracking system acquired using grant funds and then slowly transition to tracking kits throughout the entire State.

Since DPS was designated to manage the tracking software, it has been working closely with the OAG and the Tracking Subcommittee to appropriately implement the grant and abide by the requirements within AB 97.<sup>1</sup> On June 12, 2018, the OAG and DPS staff met to discuss roles and responsibilities for short and long-term strategic planning and have continued their collaborative efforts through ongoing communication.

On June 18, 2018, the Tracking Committee vendor selection team tasked with reviewing applications for the State’s sexual assault kit tracking system was expanded to represent a multi-agency and multi-jurisdictional collaboration between the OAG IT Chief, Grants Manager, Forensic Laboratory Director of the Las Vegas Metropolitan Police Department Forensic Laboratory, the Supervising Criminalist of the Washoe County Sheriff’s Office Forensic Laboratory, a Lieutenant of the Reno Police Department, an Investigative Specialist of the Las Vegas Metropolitan Police Department, a Captain of the Winnemucca Police Department, the Records Bureau Chief of the Department of Public Safety, the Business Process Management Supervisor of the Department of Public Safety, the Application Development Manager, and DBA Manager of Enterprise Information Technology Systems.

On June 26, 2018, the request for proposals seeking applications from qualified vendors to provide software that will allow the tracking of sexual assault kits within the state of Nevada was released. The intent of this project is to (1) allow appropriate agencies with variable levels of functionality ranging from view-only to editing rights, depending on their role; (2) allow appropriate agencies to access and update the status and location of the sexual assault kits; (3) provide optional barcoding functionality; (4) provide ongoing technical support and maintenance; and (5) allow survivors of sexual assault the ability to anonymously access the system and anonymously view status updates of their sexual assault kit.

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<sup>1</sup> The subcommittee now consists of the OAG Chief of Staff Nicholas Trutanich, Senator Heidi Gansert, a Sergeant of the Las Vegas Metropolitan Police Department, the Forensic Laboratory Director of the Las Vegas Metropolitan Police Department Forensic Laboratory, the Supervising Criminalist of the Washoe County Sheriff’s Office Forensic Laboratory, a Lieutenant of the Reno Police Department, the Executive Director of the Rape Crisis Center, and the Records Bureau Chief of the Department of Public Safety.



It is anticipated that the vendor selection team will review and score the applications from the vendors, possibly see vendor presentations and select a vendor in mid-August, with an anticipated Board of Examiners approval in late-2018. The OAG anticipates the initial contract term will be for a period of three years with an option to renew, if agreed upon by the vendor, and if it is in the best interest of the state of Nevada.

### **Compliance Monitoring**

To ensure compliance with our SAKI grants, the OAG's SAKI Coordinator visited SAKI sub-grantees and reviewed policies and procedures, audit reports, programmatic operations, discussed collaboration and took the opportunity to learn more about their processes, progress, needs and concerns.

### **Overall Testing Progress of Backlogged Sexual Assault Kits**

As noted earlier, Nevada's sexual assault kit backlog took decades to create and will take years of continued hard work and resources to permanently resolve. Although all parties involved seek a prompt and expedited resolution, it is important to note that as of June 30, 2018 approximately 4,871 of 7,645 backlog kits have been tested thus far. This represents approximately 20 years of backlogged forensic work (or 63 percent) completed in approximately two and a half years. *Even more impressive is that as of June 30, 2018, approximately 6,367 out of the 7,645 untested backlogged kits – representing 83 percent of untested backlogged kits in Nevada – have been sent to labs for testing.* Members of the Working Group are proud of the progress made thus far, but will continue to strive for more speed without compromising forensic testing quality. The county forensic laboratories anticipate completing all testing of backlogged kits by June 2019.

Generally speaking, DNA testing has improved greatly in the last two decades, and the storage of DNA profiles in a database that may be searched has only become widely used within the last decade. In 1994, the FBI was authorized to set up a national DNA database commonly referred to as the Combined DNA Index System CODIS. CODIS stores DNA profiles associated with offenders, as well as profiles associated with crime scenes (referred to as a forensic unknown). However, it has only been in the last few years that the number of profiles within that database has really begun to grow, in large part due to states' legislation regarding the collection of DNA from arrestees. CODIS is now a powerful source of information in the investigation of crimes, and in linking offenders and crimes around the country. This has made the testing of sexual assault kits and other DNA evidence more important than ever before.

### **Defining the Backlog**

In order to understand the progress that has already been made, an understanding of what the backlog is and how it came about is critical. The reasons for the decision for local district attorneys and police departments to not submit certain sexual assault kits for testing are many. In the past, DNA evidence from a sexual assault kit was used to confirm a suspect in a rape case. This was needed if the suspect claimed not only that no rape occurred, but that

no sexual contact occurred. DNA evidence from the kit could then potentially prove that sexual contact had indeed occurred. However, if a suspect did not deny sexual contact, and simply claimed that the contact was consensual, law enforcement or district attorneys would not find it necessary to test the evidence collected in the kit. For many years, this was the standard reasoning behind whether or not to test a kit. Furthermore, if a victim chose not to go forward with a case, or recanted his/her statement, or, sadly, if a victim was not believed by law enforcement to be truthful, then the kit would not be tested. This led many kits to remain untested in evidence lockers, and has contributed to a nationwide backlog that continues to be the subject of widespread news reporting.

Nevada's sexual assault kit backlog falls into two broad categories created as a function of funding streams. First, there is a backlog of kits that were in the possession of law enforcement on or before December 31, 2014. The funding obtained by and provided from the OAG (as detailed in Sections II.A. and II.B above) is sufficient to fund the testing of every sexual assault kit in this category. Second, despite the best efforts of the Las Vegas Metropolitan Police Department Forensic Lab and the Washoe County Forensic Lab, kits have continued to backlog since the beginning of 2015. The post-2015 kits are not covered by the acquired SAKI grants. However, the funding provided by the OAG and AB 97 in late-2017 endeavors to create the capacity at the local forensic laboratories to not only test these remaining kits but to test all future kits in a timely manner.

### **Testing of Backlogged Sexual Assault Kits**

As noted above, after auditing the number of backlogged kits statewide in the beginning of 2015, the Working Group discovered that approximately 7,645 sexual assault kits remained untested statewide. With the Working Group now focusing on a statewide awareness of the issue, the Attorney General's Office has applied for and received funding from the Bureau of Justice Assistance's Sexual Assault Kit Initiative (SAKI) to assist with not only simply testing previously untested kits throughout the state, but also to address policies and attitudes that have been a part of the development of the backlog in the first place. With some of the SAKI funding addressing kit testing, much of the funding is being applied to victim services, training, investigations and prosecutions.

Contracting with external laboratories has been an essential part of this process. Selecting these laboratories was an arduous process in and of itself, as there are only a handful of accredited bulk laboratories operating throughout the country. In order to use the grant funding to test as many kits as possible, both the Washoe County Sheriff's Office and the Las Vegas Metropolitan Police Department engaged in separate competitive bid processes with out-of-state laboratories. Additionally, the bulk testing laboratories available for testing are operating at maximum contractual capacity due to the overwhelming volume of work resulting from multiple jurisdictions around the country undertaking similar backlog initiatives. Although all parties involved seek a prompt and expedited resolution, it is important to note that much progress has already been made without compromising forensic testing quality.

According to the Washoe County Sheriff's Office Forensic Division as of June 30, 2018,

approximately 1,172 untested sexual assault kits existed in northern Nevada.<sup>2</sup> Two hundred and sixty have been sent to the FBI for complimentary testing, and 324 have been outsourced to Sorenson Laboratory. As of June 30, 2018, testing has been completed on 372 backlogged kits. As a result of this testing, approximately 134 DNA profiles have been uploaded to CODIS and approximately 59 CODIS hits were obtained. After a brief pause in outsourcing its forensic testing due to its own high internal quality standards, the Washoe County Sheriff's Office reinitiated its outsourcing to Sorenson in early 2018. To date, there has been 1 arrest made by Reno Police Department as a result of testing.

According to the Las Vegas Metropolitan Police Department Forensic Laboratory, approximately 6,473 untested sexual assault kits existed in southern Nevada as of December 31, 2014. A total of 5,783 kits have been shipped for testing, of which 169 were shipped to the FBI, 169 were shipped to NIJ and 5,445 have been shipped to Bode Cellmark Forensics. Testing has been completed on 4,499 kits. As a result of the tested kits, approximately 943 DNA profiles have been uploaded to CODIS and approximately 407 CODIS hits were obtained. To date, there have been 21 arrest warrants, 13 arrests and 9 search warrants in Clark County. The Las Vegas Metropolitan Police Department Forensic Laboratory anticipates the remaining 690 sexual assault kits will be shipped for testing before the end of April 2019.

In addition to the statistics provided, the chart below demonstrates the same information above, but from a county-by-county perspective. Esmeralda, Eureka, Humboldt, Lander, Mineral and Storey counties reported no backlog and are not listed below.

The reduction in the number of untested kits is being addressed through Nevada's Sexual Assault Kit Initiative, in addition to assistance from the FBI, funding from the Manhattan District Attorney's Office and the National Institute for Justice, and settlement funding from the OAG. All known sexual assault kits in law enforcement evidence vaults from prior to January 2015 are scheduled to be tested in or before the end of 2019.

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<sup>2</sup> It is important to note that the Washoe County Sheriff's Office has not historically tracked kits using the "pre-2015" versus "post-2015" system.

Region	County	Kits Inventoried		Kits Tested as of December 2017	Kits Tested January 2018 - June 2018	Total Kits Tested	Total DNA Profiles Logged	Total CODIS Hits Obtained	Kits Remaining		Notes										
		Number	Funding Source						Shipped for Testing	Pending Shipment											
Northern Nevada	Carson City	77	FBI (5 kits) SAKI (remaining kits)	0	5	5	0	0	0	72	All northern NV kits to be tested via WCSO Lab by Spring 2019										
		3	FBI	0	0	0	0	0	0	3	All northern NV kits to be tested via WCSO Lab by Spring 2019										
	Douglas	9	SAKI	0	0	0	0	0	0	9	To be tested via LVMPD lab 2018										
		Elko	32	FBI (13 kits) SAKI (remaining kits)	12	17	29	8	4	0	3	All northern NV kits to be tested via WCSO Lab by Spring 2019									
	Lyon		16	FBI	16	0	16	0	0	0	0	Completed									
	Pershing	7	FBI	7	0	7	3	0	0	0	Completed										
	Washoe	1020	FBI (260 kits) AG & SAKI (remaining kits)	143	164	307	122	55	212	501	To be tested via FBI and WCSO Lab 2018-2019. All remaining kit testing of the backlog will be paid for through SAKI and AG funds.										
												White Pine	8	FBI	0	8	1	0	0	0	Completed
												<b>Total</b>	<b>1172</b>	<b>178</b>	<b>194</b>	<b>372</b>	<b>134</b>	<b>59</b>	<b>212</b>	<b>588</b>	
	Southern Nevada	Clark	6376	NIJ (169 kits) FBI (169 kits) DANY (2,383 kits) AG & SAKI (remaining kits)	2721	1778	4499	943	407	1284	593	All Southern NV kits scheduled to be tested by April 2019. All remaining kit testing of the backlog will be paid for by SAKI and AG funds.									
Lincoln													1	FBI	0	0	0	0	0	1	All kits scheduled to be tested by April 2019
Nye		96	SAKI	0	0	0	0	0	0	96	All kits scheduled to be tested by April 2019										
<b>Total</b>		<b>6473</b>	<b>2721</b>	<b>1778</b>	<b>4499</b>	<b>943</b>	<b>407</b>	<b>1284</b>	<b>690</b>												
<b>Statewide Totals</b>		<b>7645</b>		<b>2899</b>	<b>1972</b>	<b>4871</b>	<b>1077</b>	<b>466</b>	<b>1496</b>	<b>1278</b>											

## Seeking Future Funding

On March 13, 2018, the U.S. Department of Justice, Bureau of Justice Assistance released the 2018 National Sexual Assault Kit Initiative competitive grant solicitation. While Nevada will have enough funding for the testing of the sexual assault kits and the collection of lawfully-owed DNA from convicted offenders, there would still be a need for investigation, prosecution, and victim advocacy beyond the end date of our current SAKI grants.

Throughout the months of March and April, the OAG communicated with the Las Vegas Metropolitan Police Department and the Clark County District Attorney's Office regarding their concerns and financial needs and discussed what would be appropriate and allowable under the 2018 SAKI competitive grant program.

On April 30, 2018, the OAG submitted an application to the U.S. Department of Justice, Bureau of Justice Assistance for the 2018 SAKI competitive grant, with the bulk of the requested funding directed towards the Las Vegas Metropolitan Police Department, the Clark County District Attorney's Office and the University of Nevada, Las Vegas. If awarded this competitive grant, 2018 SAKI funding would support the needs of the Las Vegas Metropolitan Police Department to continue the collection of information and investigations for overtime for cold case supervisors and part-time salaries and fringe benefits for cold case investigators, support assistants and victim advocates. Funding would also support the Clark County District Attorney's Office for salary and benefits for a prosecutor who will collaborate with and/or assist the currently funded prosecutor within their office in prosecuting cold sexual assault cases in Clark County. Funding to the University of Nevada, Las Vegas would further support the collection of data relating to SAKI which will be shared with SAKI partners through the Sexual Assault Kit Backlog Working Group. Other expenses identified in the grant application include funding for grant administration, travel to educational conferences, local in-state travel, training, supplies and indirect costs.

It is anticipated that the U.S. Department of Justice, Bureau of Justice Assistance will notify applicants whether or not their grant applications will be funded by September 30, 2018, with a start date of October 1, 2018 and end date of September 30, 2021.