

TEXAS DEPARTMENT OF PUBLIC SAFETY

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December 20, 2022

Via Email (betsyk@usafacts.org)

Betsy Kim
USAFacts
425-708-8875

Re: Texas Rape Kit Backlog

Ms. Kim,

The Texas Department of Public Safety received your above referenced Public Information Request on December 9, 2022.

The information the Department located in response to your request is enclosed. These records are provided to you at no cost.

List of responsive records being released (for reference):

Statewide Electronic Tracking System Report - 2021

Statewide Electronic Tracking System Report - 2022

The statewide Sexual Assault Evidence Tracking Program (Track-Kit) was implemented on 9/1/19 by DPS. DPS does not have statewide data for kits collected prior to 8/31/19. Under Texas Gov't Code 420.042, law enforcement agencies must submit kits to the lab within 30 days of taking possession of the kit and labs must conduct all testing on the evidence within 90 days of taking possession of the kit. The 90 day testing requirement applies to all kits received by labs on or after 1/1/21.

The "Statewide Electronic Tracking System Report" uses Track-Kit data to identify the number of kits that have not yet been submitted for laboratory analysis or for which laboratory analysis has not yet been completed. I have attached the 2021 and 2022 reports.

- (a)(1) – Number of kits not tested within 90 days in 2022 is on the 2022 report
- (a)(2) – Number of kits unsubmitted to the labs in 2022 is on the 2022 report
- (b) – Data retrieved 11/23/22
- (c) – Numbers from (a) are statewide numbers
- (d) – Unable to provide 2018 and most of 2019 data due to implementation being 9/1/19 as stated above. The attached 2021 report contains data from 9/1/19 – 11/23/21.
- (e) – Testing within 30 days isn't being tracked in the system

Please note, the Texas Department of Public Safety Crime Laboratory Division strives to follow all requirements for retention and destruction of state records under Texas Government Code, Chapter 441, Subchapter L. A list of all certified state agency records retention schedules, including the Texas Department of Public Safety, may be located on the Texas State Library and Archives Commission website at <https://www.tsl.texas.gov/slrn/state.schedules>. An

extensive search was performed and all responsive records located in the possession of the Texas Department of Public Safety Crime Laboratory Division have been included in this response.

Please be advised that the Texas Public Information Act does not require a government body to answer factual questions, conduct legal research, or create new information in responding to a request. See Texas Attorney General Open Records Decision Nos. 555 (1990) and 563 (1990).

If you have any questions regarding this request, please submit them in writing via email to crimelabrecords@dps.texas.gov, or via mail or in person at our Austin offices located at 5800 Guadalupe Street.

Regards,

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5800 Guadalupe St.
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