

**From:** Betsy Kim  
**Sent:** Mon, 23 Jan 2023 19:17:25 +0000  
**To:** FOIA;Rahul Ramesh  
**Subject:** Re: [RECORDS REQUEST] Virginia Rape Kit Backlog

Hi Tyler,

It's so interesting that you say that the Attorney General has "no records responsive" to our request.

It was Virginia's Attorney General Mark Herring who [announced](#) that Virginia's rape kit backlog was cleared back in 2020. One would presume that to make such a claim, he would have been keeping some sort of records on the issue!

The article I linked for your reference also states that the Attorney General's office would be collaborating with the Virginia Department Forensic Science on a statewide rape kit tracking system. The very nature of a tracking system is to tell victims/survivors whether their kit is at the hospital, in the hands of law enforcement, or being tested by the state crime lab. In aggregate, it provides the information I'm looking for from 2018 onwards.

Considering that it is widely known that the Attorney General's office does possess records that we're looking for, how would you recommend that we proceed?

Looking forward to hearing your response.

Betsy



**Betsy Kim**  
Data Analyst

(425) 708-8875  
[www.usafacts.org](http://www.usafacts.org)



**From:** FOIA <F3@oag.state.va.us>  
**Sent:** Thursday, January 19, 2023 7:06 AM  
**To:** Rahul Ramesh <rahulrameshaz@gmail.com>  
**Cc:** Betsy Kim <betsyk@usafacts.org>  
**Subject:** RE: [RECORDS REQUEST] Virginia Rape Kit Backlog

Rahul Ramesh,

Please see the attached correspondence regarding your request received January 18, 2023.

Tyler Barnes  
Assistant Attorney General

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**From:** Rahul Ramesh <rahulrameshaz@gmail.com>  
**Sent:** Tuesday, January 17, 2023 6:06 PM  
**To:** FOIA <F3@oag.state.va.us>  
**Cc:** betsyk@usafacts.org  
**Subject:** [RECORDS REQUEST] Virginia Rape Kit Backlog

Jan 17, 2023

To whom it may concern:

Under the Virginia Freedom of Information Act, we would like to request the following records:

- (a) The Virginia rape kit backlog in 2022, broken down by:
  - o (1) rape kits that had, by the end of 2022, remained untested within 30 or more days of being submitted to Virginia Department of Forensic Science, in addition to any accredited forensic or crime lab in Virginia.
  - o (2) rape kits that were not submitted to the aforementioned crime labs and held by entities that collect rape kits, including, but not limited to, police stations and hospitals.
- (b) The month/date that the 2022 rape kit backlog numbers from (a) were collected.
- (c) Whether the numbers from (a) are reflective of the rape kit backlog for the entire state. If not, please list the municipalities, police stations, or crime labs that have been excluded from the counts provided in (a).

Please prioritize (a), (b), and (c) in your response. In addition, we would like:

- (d) The information from (a), (b), and (c) for 2018, 2019, 2020, and 2021.
- (e) Of the rape kits that were tested in 2022, the count tested within 30 days of being submitted to a lab.

Please include me, a resident of Virginia, and my collaborator Betsy Kim on any external or internal correspondence related to this request.

My address is:  
8190 Strawberry Ln  
Apt 207  
Falls Church, VA 22042

Let me know if clarifying my request might speed the release of these records or reduce any programming or staff time.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

We seek this information in the public interest as journalists, and not for a commercial purpose.

If there are any fees for searching or copying these records, please inform us if the cost will exceed \$100.

The Virginia Freedom of Information Act requires a response to this request be made within 5 days. If access to the records we are requesting will take longer than this amount of time, please contact me with information about when we might expect copies or the ability to inspect the requested records.

Please provide us with the information in a continuous manner. We are more than happy to get partial responses to this request until it's completed in full.

Thank you again for your time. Please let us know if you have any questions.

Sincerely,

Rahul Ramesh and Betsy Kim  
Data Analyst  
USAFacts  
[betsyk@usafacts.org](mailto:betsyk@usafacts.org)