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|  |  | **Kerry Harvey**  **Secretary** |
| **Andy Beshear**  **Governor** | **Kentucky State Police**  **919 Versailles Road**  **FRANKFORT, KY 40601**  **www.kentuckystatepolice.org**  **Custodian of Records Phone: (502) 782-1873**  **Custodian of Records Fax: (502) 573-1636** | **Col. Phillip Burnett, Jr.**  **Commissioner** |

December 19, 2022

Betsy Kim

USA Facts

betsyk@usafacts.org

Re: Open Records Request: 22-6161

Dear Ms. Kim:

This letter responds to your December 9, 2022, open records request, which was received by the Kentucky State Police via e-mail on December 12, 2022 (your request was sent after close of business on December 9). You requested a copy of the following:

* **(a)** The Kentucky rape kit backlog in 2022, broken down by:
  + - * (1) rape kits that were not tested within 30 days of being submitted to the Kentucky State Police Forensic Laboratory System, in addition to any other accredited forensic or crime lab in the state of Kentucky that tests rape kits.
      * (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, I 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.

We are complying with your request. Our office has located the records you are seeking. The responsive records are attached.

KSP Open Records has spoken with the KSP Central Lab regarding your request. KSP Central Lab advised there is not an existing record or query that can be ran for the exact records you requested. KSP does not know how many kits were received by law enforcement, but not submitted to the lab for testing. We are the only crime lab in Kentucky, and we do all our own testing at this time. KSP Central Lab also advised that in 2015-2017 when the over 4000 untested kits were submitted from law enforcement’s shelves, we outsourced those to Sorenson Forensic Laboratories in Utah. Currently, Louisville Metro Police outsources some cases. We suggest you contact the Louisville Metro Police for that information.

If you wish to appeal this decision, you may do so by filing a complaint with the Office of the Attorney General, Open Records/Open Meetings, The Capitol, 700 Capitol Avenue, Suite 118, Frankfort, KY 40601, pursuant to KRS 61.880(2), or by filing an original action in Franklin Circuit Court under KRS 61.882. If you first appeal to the Attorney General but are dissatisfied with the Attorney General’s decision, you may further appeal to Circuit Court pursuant to KRS 61.880(5).

Sincerely,

Abbey N. Hub

Legal Services Branch