

November 23rd, 2021

Nebraska Legislature  
1445 "K" Street  
Lincoln, NE 68508

RE: Untested Sexual Assault Evidence Collection Kits

To whom it may concern:

The 2020 Legislative session passed LB 881, which was approved by the Governor on August 7<sup>th</sup>. As part of that Bill, a requirement for city's the size of Lincoln to report the number of untested sexual assault evidence collection kits to your office was mandated. Specifically, the section reads as follows:

Legislative Bill 881

Section 1. On or before December 1, 2020, and annually thereafter, each city of the primary class and city of the metropolitan class shall make a report listing the number of untested sexual assault evidence collection kits for such city. The report shall contain aggregate data only and shall not contain any personal identifying information. The report shall be made publicly available on the city's web site and shall be electronically submitted to the Attorney General and to the Legislature.

The Lincoln Police Department currently holds **443** untested sexual assault evidence collection kits for the City. The number of untested kits span a timeframe from 2004 to the present. The determination on when we don't test a kit often follows one or more of these circumstances:

- The victim reported the crime anonymously.
- The victim has declined to further cooperate in the investigation of the incident and/or has requested no further investigation to occur.

In cases involving a known victim and an unknown suspect, it is our practice to automatically have the sexual assault evidence collection kit submitted for testing.

Please consider this submission as fulfillment of the mandate of LB 881 regarding the count of untested sexual assault evidence collection kits held by the Lincoln Police Department. Please feel free to contact me if there are questions or additional information necessary.

Sincerely,

Brian Jackson  
Assistant Chief of Police  
Lincoln Police Department  
402-441-7201

There currently are **443** untested sexual assault evidence collection kits held in the Lincoln Police Department property unit, that are being stored as evidence for the Lincoln Police Department.

There are no untested kits held in property that were collected as evidence prior to 2004.

All cases involving a known victim and an unknown suspect, automatically have the Sexual Assault kit tested for evidence. The majority of untested kits held in property are accounted for with cases involving Anonymous reports/victims, kits collected for other agencies, and cases where the victim is not cooperative with the investigation or has requested that no further investigation occur.

The kits held in property are categorized as the following:

YEAR COLLECTED	TOTAL	TESTED	UNTESTED	HELD BY THE COURT
1997	1	1	0	
1998	1	1	0	
1999	1	1	0	
2000	2	2	0	
2001	0	0	0	
2002	3	3	0	
2003	3	3	0	
2004	2	1	1	
2005	1	0	1	
2006	2	2	0	
2007	2	2	0	1
2008	22	20	2	
2009	11	10	1	
2010	19	15	4	1
2011	26	20	6	2
2012	26	20	6	
2013	23	15	8	
2014	61	40	21	
2015	85	40	45	
2016	93	41	52	
2017	96	46	50	
2018	104	57	47	
2019	119	58	61	
2020	125	56	69	
2021*	107	38	69	
<b>TOTAL</b>	<b>935</b>	<b>492</b>	<b>443</b>	

\*NUMBERS FOR 2021 THROUGH 10-03-2021