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AUDITOR GENERAL

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Auditor General DePasquale: New State Data Shows Where Rape Kits Are Still Backlogged; Victims Deserve Chance at Justice

HARRISBURG – Auditor General Eugene DePasquale today said newly released data shows that 60 percent of the state's 245 backlogged rape kits remain in the hands of law enforcement instead of at crime labs, where they belong.

"The law clearly states that, once consent for testing is received, law enforcement must submit a kit to an approved forensic lab within 15 days," DePasquale said. "I'm urging police departments and prosecutors to make sure they're doing everything possible to move these cases forward."

Released today, the [Department of Health's annual report](#) shows a total of 245 backlogged kits as of Dec. 31, 2018 – a 90 percent decrease from three years ago, when more than 3,000 kits were awaiting testing. A backlogged kit is one that has been waiting 12 months or longer to be tested.

"While this progress is commendable, hundreds of people have waited more than a year to find out what evidence, if any, their kits contain," DePasquale said. "These brave victims underwent grueling physical exams not only for the sake of their own cases, but also to potentially help protect others from being assaulted."

Of Pennsylvania's roughly 1,100 local law enforcement agencies, 1,060 reported their kit numbers – a 112 percent increase over the 499 agencies that reported in 2016, the first year the statewide report was released.

However, DePasquale said, simply reporting that untested kits exist is not enough. Instead, law enforcement must send these kits to one of the state's three public forensic crime labs, where they can be processed and have any usable DNA uploaded into the FBI's national DNA database, known as CODIS.

"Some of these law enforcement agencies are holding onto a dozen or more kits," DePasquale said. "That is patently unacceptable, and it must be corrected. When a victim has agreed to allow testing to occur, it needs to take place as quickly as possible."

The DOH report also highlights that Philadelphia Police Department and Pennsylvania State Police's crime labs, which had no backlogged kits, were processing all new rape kits within three to six months.

DePasquale first raised this issue in 2016 when he released a [special report on the state's untested rape kits](#). It found that communication failures, bureaucratic breakdowns and resource shortages led to a backlog of untested kits, some dating back to the 1990s. In the years since, the number of kits awaiting testing has trended steadily downward.

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Editor's Note: The following is a list of where backlogged kits were reported as of Dec. 31, 2018:

County	Agency	Backlogged kits
Allegheny	Allegheny County Office of the Medical Examiner	94
Allegheny	City of McKeesport Police	1
Allegheny	North Versailles Township	2
Beaver	Brighton Township	1
Beaver	Center Township Police Department	11
Beaver	New Brighton Area Police	6
Beaver	Patterson Township Police	2
Berks	Homestead Police Department	2
Bucks	Tullytown Borough	2
Cambria	Cresson Township	3
Carbon	Summit Hill Police Department	1
Centre	Pennsylvania State University Police Department-University Park Campus	1
Centre	Spring Township Police Department	1
Chester	Cain Township Police Department	2
Chester	East Brandywine Township Police	1
Chester	Kennett Square Borough	4
Clarion	New Bethlehem Borough	8
Cumberland	Cumberland Co. D.A.'s Office, Criminal Investigation Division	7
Dauphin	Pennsylvania State Police barracks (statewide)	22
Delaware	Radnor Township Police Department	15
Elk	City of St. Marys Police Department	1
Jefferson	Reynoldsville Borough Police	1
Lackawanna	So. Abington Twp. Police	1
Lancaster	Manor Township Police Department	2
Lancaster	Millersville Borough Police Department	7
Lebanon	North Lebanon Township Police	1
Luzerne	City of Pittston Police Department	1
Lycoming	DuBoistown Police Department	1
Lycoming	Williamsport Bureau of Police	1
Mercer	Shenango Township Police Department	2
Mifflin	Lewistown Borough Police Department	12
Montgomery	Ambler Borough Police Department	1
Montgomery	Bridgeport Borough Police Department	1
Montgomery	Plymouth Township Police Department	2
Northampton	Lehigh University Police Department	16
Northampton	Wilson Borough Police Department	1
Northumberland	Northumberland Police Department	2
Northumberland	Sunbury Police Department	1
Somerset	Somerset County Bureau of Investigations	1
Washington	North Strabane Police	1
Westmoreland	Rostraver Township Police Department	3