

TEXAS DEPARTMENT OF PUBLIC SAFETY

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December 3, 2019

Effective September 1, 2019, Texas Government Code Section 420.047 requires the Texas Department of Public Safety to conduct an audit of unanalyzed sexual assault evidence collection kits. The audit requires law enforcement agencies to submit to the DPS a list of the agency's active criminal cases for which a sexual assault evidence collection kit has not been submitted for laboratory analysis. Please see GC 420.003 for the statutory definition of an active criminal case. The list should only include kits collected on or before August 31, 2019. Law enforcement agencies must submit their list to the DPS no later than December 15, 2019.

The statute further requires law enforcement to submit to the DPS or a public accredited crime laboratory, subject to the availability of laboratory storage space, all evidence collection kits pertaining to those active criminal cases that have not been submitted for laboratory analysis by January 15, 2020. If the law enforcement agency submits an evidence collection kit to a laboratory other than the DPS, the agency shall provide to the DPS the name of the laboratory and the submission date for the evidence collection kit. Once analysis of the kit is complete, the law enforcement agency shall provide to DPS the date on which the analysis was completed.

GC 420.045 requires that each law enforcement agency submit a quarterly report to the DPS identifying the number of evidence collection kits that the law enforcement agency has not yet submitted for laboratory analysis. GC 420.045 also requires that public accredited crime laboratories submit a quarterly report to the DPS identifying the number of evidence collection kits for which the crime laboratory has not yet completed analysis. The first quarterly report will be due to DPS 03/30/2020 and will cover the period 12/01/2019 to 02/29/2020.

The audit will be conducted via the Track-Kit software system. A spreadsheet is available within Track-Kit that can be completed with the information required for each evidence kit. The spreadsheet will be submitted via Track-Kit to complete the audit. Law enforcement agencies are required to certify within Track-Kit if they do not have any kits that meet the audit requirement. Law enforcement agencies that do not currently have access to Track-Kit can email kittracking@dps.texas.gov for access information. If you have questions regarding the audit and reporting requirements, please visit <http://www.dps.texas.gov/CrimeLaboratory/SAEreporting.htm> or contact the DPS Laboratory by email at SAEreporting@dps.texas.gov.

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