



State of New Mexico
OFFICE OF THE STATE AUDITOR

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**State Auditor Tim Keller Joins Sexual Assault Survivor Advocates to
Provide Rape Kit Backlog Update to Legislative Committee**

Testing at state level is leading to DNA matches, testing in Albuquerque remains at a standstill

ALBUQUERQUE, NM – Today, State Auditor Tim Keller and Sarita Nair, Chief Government Accountability Officer of the Office of the State Auditor (OSA) joined sexual assault survivor advocates to provide an update to the Legislative Health and Human Services Committee about the backlog of Sexual Assault Evidence Kits, commonly known as “rape kits.” The OSA presented along with representatives from the New Mexico Coalition of Sexual Assault Programs, Valencia Shelter Services, Sexual Assault Nurse Examiner (SANE) Programs, and the University of New Mexico.

Connie Monahan, Statewide SANE Coordinator and Co-Chair for the SAEK Memorial Taskforce provided an update from the two crime labs responsible for rape kit testing, the Department of Public Safety (DPS) and the Albuquerque Crime Lab, stating the following: “Albuquerque is not yet testing their backlog of kits and the number that needs to be tested is increasing every month. In contrast, the Department of Public Safety is testing kits at a phenomenal rate and will clear their backlog in less than two years. They have tested 604 rape kits resulting in 194 kits having enough DNA to be eligible for entry into the CODIS database. Of the kits tested, 72 have resulted in CODIS hits. That is more than 10 percent and shows huge implications for true public safety.”

When rape kits are tested, the DNA records are entered into the Federal Bureau of Investigation’s national database called Combined DNA Index System (CODIS). If a DNA profile matches another case, the CODIS “hit” can aid an investigation and lead to a conviction. In Detroit, 58 percent of the kits that were entered into CODIS had matches. In Cleveland, testing over 2,300 kits yielded 968 investigative leads.

“Eliminating the rape kit backlog is a proven step we can take to fight and solve crimes and make the public safer,” stated State Auditor Tim Keller. “We’ve seen in other cities across the nation that when rape kits are tested, it can lead to convictions to get offenders off the streets. Now we’re starting to see those same significant results here in our state, with rape kit testing leading to matches in the DNA database. 72 DNA matches is great progress but what we are talking about is potentially 72 repeat offenders, who may still be out on the streets. We owe it to sexual assault survivors to prioritize clearing the backlog and we owe it to the public to prosecute those offenders.”

Throughout 2015 and 2016, the OSA worked with law enforcement agencies and crime labs to conduct a statewide survey and a special audit to determine how many untested rape kits

amassed in New Mexico and to identify the root causes of the backlog. The OSA found 5,440 untested kits across the state, with nearly 75 percent of those in Albuquerque. In New Mexico, one in four women and one in 20 men have experienced sexual assault in their lifetime and 65 percent of sexual assault victims are minors.

“We can spend the money to test the backlog of sexual assault evidence kits now, or we can spend it later on lawsuits from years of negligence,” stated Sarita Nair. “Testing the backlog now is a much better choice to honor survivors and make the public safer. Sexual assault takes a huge toll on its survivors, and it also takes a huge and expensive toll on our communities as a whole – estimated at over \$100 billion per year nationwide.”

You can find OSA’s Special Audit of Untested Sexual Assault Evidence Kits here:

https://www.saonm.org/media/news_pdf/12-6-16_Special_Audit_of_Sexual_Assault_Evidence_Kits.pdf

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