



## STATE OF ALASKA

# DNA COLLECTION/SEXUAL ASSAULT KIT TESTING DIRECTIVES FREQUENTLY ASKED QUESTIONS

## What are the directives?

### 1.) DNA Sample Collection

- Governor Mike Dunleavy has directed the **Department of Public Safety** and the **Department of Corrections** to immediately redouble efforts to collect 100% of the DNA owed in all authorized cases in the future and to collect DNA from another 20,022 offenders who owe the state a sample of their DNA under state law. For anyone who has been convicted of a crime against a person or a felony, refusal to provide a DNA sample is punishable as a Class C felony.

### 2.) Reduction in Sexual Assault Processing Times

- Governor Dunleavy has also directed funding be immediately put towards adding more staff and resources to assist to reduce the sexual assault kit testing and processing times to 90 days. The **Department of Public Safety** has cleared the backlog of previously unsubmitted, untested sexual assault kits from Alaska State Trooper cases and is nearing completion on untested sexual assault kits from all law enforcement agencies in Alaska.

## What is the state statute for DNA sample collection?

According to state law, anyone who is arrested and convicted for crimes against a person or a felony must provide DNA. Crimes against a person include both felonies and misdemeanors.

## Who will this effect?

Under this directive, the Dunleavy administration will go after the uncollected DNA samples from those convicted of crimes against a person first and then to pursue those who were convicted of other qualifying offenses. There are opportunities to get DNA matches that could catch those who have committed crimes such as, rape, burglary, and murder.



## What has been collected in the past?

Over the last 25 years, thousands of lawfully owed DNA samples were not collected in Alaska for various reasons. Since 1995, only 63,968 arrestees and convicted offenders had their DNA collected which amounts to 75% of the DNA owed under state statute. More recently under SB 91, the issue was compounded as many individuals were either not arrested or cited and released versus being taken into a booking facility where DNA could be obtained.

## What tools will be used to achieve the goal of reducing the testing and processing times for sexual assault kits?

With the reduction of sexual assault kit testing and processing times to 90 days, the plan is to add more resources to achieve that goal and to use software and a tracking database which will allow both survivors and agencies involved in sexual assault response (law enforcement, prosecutors, medical facilities, crime lab) the ability to track the status and location of sexual assault evidence kits. The tracking software will provide metrics that will measure legislative requirements assessing amount of time that a kit spends at different points in the kit processing system. Additionally, the system will provide the annual sexual assault kit inventory, delineating how many kits are in each stage of the process. Survivor access will be anonymous and include optional notifications about a kit's status and location. This system will also be a statewide mechanism for survivors to check the status of their sexual assault kit at any time as well as provide them with notification at the completion of testing. Additionally, the law now requires that law enforcement notify the victims from which a kit was collected, that testing has been completed. A tracking system will help bring accountability to law enforcement agencies striving to achieve this mandate.

## What state/partner agencies will be assisting?

The **Department of Public Safety** and the **Department of Corrections** will continue to make concerted efforts with law enforcement partners to bring consistency and high standards to law enforcement's response to sexual assault reports and collection of DNA samples and to provide victims and survivors with the support, resources and understanding they deserve.

Both the **Department of Corrections** and the **Department of Public Safety** will work together to obtain DNA samples and track them to make sure they get to the lab and are processed and uploaded to the CODIS system. **The Department of Corrections** has collected tens of thousands of DNA samples over the years primarily when a court order was in place but with this initiative the **Department of Corrections** will collect from all offenders who fall under the statutes. Due to the Governor's initiative, the **Department of Corrections** recently collected 197 owed DNA samples from past convictions in a 2-day sweep from those currently incarcerated.



## **Will there be additional funding coming for these directives?**

Governor Dunleavy has directed immediate funding to be used for more staff and resources in the collection of DNA samples.

Governor Dunleavy will request the legislature appropriate \$1.1 million of ARPA funds for this initiative, to be used in conjunction with \$900,000 in existing **Department of Public Safety** funding for necessary resources.

## **Is there any new legislation being considered?**

The Dunleavy administration intends to introduce legislation next session to directly address sexual assaults and violent offenses.

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