County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169

LEROY D. BACA, SHERIFF

December 16, 2008

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Dear Supervisors:

SEXUAL ASSAULT KIT AUDIT STATUS REPORT

This correspondence is in response to the Board of Supervisors' request on November 12, 2008, for a report back on the status of the sexual assault kit audit.

As reported to the Board at the November 12, 2008, meeting, there were a total of 5,635 sexual assault kits in storage in the Los Angeles County Sheriff's Department (Department) Central Property and Evidence freezers. Furthermore, an additional 475 sexual assault kits were in the freezer at the Scientific Services Bureau (SSB) awaiting testing or transport for storage. The total number of sexual assault kits in the possession of the Department at the time of the audit was 6,110.

The sexual assault kit audit findings showed that of the 6,110 sexual assault kits under the control of the Department, 4,727 were untested. Of the 4,727 untested sexual assault kits, 3,770 are the Department's cases and 957 are other law enforcement agencies' cases.

Phases I and II of the audit are now complete. These phases involved physically counting the sexual assault kits and determining the number of untested kits. The Department is currently conducting Phase III of the audit, which is surveying all sheriff's stations, investigative units, and outside law enforcement agencies via questionnaire regarding the current status of each case associated with an untested sexual assault kit. This information will be compiled and used in prioritizing the testing of the untested kits.

In addition to the aforementioned survey, several other actions have been taken or are underway which relate to this subject:

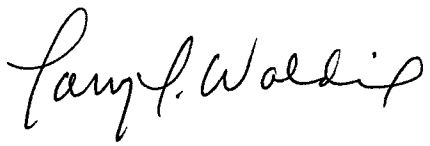
- Department policy was modified to mandate the immediate transfer of sexual assault kits to SSB, and places those kits under the control of the laboratory;
- An SSB directive was established requiring the examination of all sexual assault kits;
- A Field Operations directive was modified to require an annual inspection of all applicable units for compliance with the Sexual Assault Victims' Bill of Rights (Penal Code § 680);
- A Department-wide audit is currently underway to determine historical compliance with the Sexual Assault Victims' Bill of Rights notification requirements;
- Letters have been sent to all outside law enforcement agencies, which submit sexual assault kits to the Department's laboratory for analysis, advising of the new policy regarding examination of all kits;
- A presentation is scheduled for the January 15, 2009, Los Angeles County Chiefs of Police Association meeting regarding the new policy on accepting and examining all sexual assault kits, and to answer questions concerning the policy.

Finally, a plan is under development to identify an efficient, cost effective, and timely method to examine all untested sexual assault kits, while providing sufficient resources to process and examine incoming kits. This plan will incorporate multiple components including assistance from the State of California's Department of Justice Bureau of Forensic Services, to increase outsourcing to private laboratories, and additional staffing at SSB.

Should you have questions, please contact Chief David R. Betkey, Technical Services Division, at (562) 345-4301.

Sincerely,

LEROY D. BACA, SHERIFF



LARRY L. WALDIE
UNDERSHERIFF