



POLICE

575 South 10th Street | Lincoln, NE 68508
402-441-6000 | F: 402-441-8492 | lpd@cjis.lincoln.ne.gov

November 28, 2022

Nebraska Legislature
1445 "K" Street
Lincoln, NE 68508

RE: Untested Sexual Assault Evidence Collection Kits

To whom it may concern:

The 2020 Legislative session passed LB 881, which was approved by the Governor. As part of that Bill, a requirement for cities the size of Lincoln to report the number of untested sexual assault evidence collection kits to your office was mandated. Specifically, the section reads as follows:

Legislative Bill 881

Section 1. On or before December 1, 2020, and annually thereafter, each city of the primary class and city of the metropolitan class shall make a report listing the number of untested sexual assault evidence collection kits for such city. The report shall contain aggregate data only and shall not contain any personal identifying information. The report shall be made publicly available on the city's web site and shall be electronically submitted to the Attorney General and to the Legislature.

The Lincoln Police Department currently holds 514 untested sexual assault evidence collection kits. The number of untested kits span a timeframe from 2004 to the present. As of July 2022, the determination on when we don't have a kit tested follows only one or more of these circumstances:

- The victim reported the crime anonymously, in which we honor the victim's request.
- Unique circumstances e.g., the suspect or survivor is deceased.

In cases involving a known victim and an unknown suspect, as well as date rape cases with a known suspect, it is our practice to automatically have the sexual assault evidence kit submitted for testing.

Please consider this submission as fulfillment of the mandate of LB 881 regarding the count of untested sexual assault evidence collection kits held by the Lincoln Police Department. Please feel free to contact me if there are questions or additional information necessary.

Sincerely,

Captain Jake Dilsaver
Lincoln Police Department
402-441-7754



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There currently are 514 untested sexual assault evidence collection kits held in the Lincoln Police Department Property & Evidence Unit. These remain preserved as evidence. There are no untested kits held in LPD Property that were collected as evidence prior to 2004.

Beginning July 2022, any case, other than anonymous sexual assaults, will have the sexual assault kit tested for evidence. Unique circumstances, such as the survivor or perpetrator deceased, may not be tested with command officer approval. The untested kits held in LPD Property are cases involving kits where the survivor insisted the kit not be tested, or kits collected for other agencies. LPD, along with best practice, honors the consent and direction of the anonymous survivor not to have their kit submitted for testing.

The kits held in LPD Property & Evidence are categorized as the following:

YEAR COLLECTED	TOTAL	TESTED	UNTESTED	HELD BY THE COURT
1997	1	1	0	
1998	1	1	0	
1999	1	1	0	
2000	2	2	0	
2001	0	0	0	
2002	3	3	0	
2003	3	3	0	
2004	2	1	1	
2005	1	0	1	
2006	2	2	0	
2007	2	2	0	1
2008	22	20	2	
2009	11	10	1	
2010	19	16	3	1
2011	26	20	6	2
2012	26	21	5	
2013	23	15	8	





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YEAR COLLECTED	TOTAL	TESTED	UNTESTED	HELD BY THE COURT
2014	61	40	21	
2015	85	40	45	
2016	92	41	51	
2017	96	45	51	
2018	105	59	46	
2019	117	58	59	
2020	132	60	72	
2021	159	60	99	
2022*	122	79	43	
TOTAL	1,114	600	514	

*NUMBERS FOR 2022 THROUGH NOVEMBER 1, 2022



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