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Governor

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MARK GWYN
Director

To: [REDACTED], Joyful Heart Foundation
From: Susan Niland
Date: December 22, 2015
RE: TORA Act Request

1) TBI uses a Laboratory Information Management System (LIMS) to track cases submitted. This is a casework management type system and not a statistical tool. With it, we can easily track Forensic Biology cases throughout the Laboratory System. However, Forensic Biology is not limited to sexual assaults. The Forensic Biology Unit conducts testing on property crimes, thefts, assaults, homicides with numerous exhibits, etc. We do not, however, divide Forensic Biology Exhibits into types of evidence such as Sexual Assault Kits. Therefore I cannot provide the specific information that you requested. I can tell you that TBI does not refuse testing on submitted sexual assault kits, nor do we store Sexual Assault Kits in an untested condition. Any case submitted will be completed and reported. The current turnaround times (time from submittal to report for the oldest case in the unit) for the Forensic Biology Unit are as follows; For the Knoxville Lab – 10 weeks, Nashville Lab – 16 weeks, Memphis Lab – 32 weeks.

As I'm sure you are aware, the State of Tennessee conducted an inventory of untested Sexual Assault Kits in June of 2014. Additionally, the State Legislature passed Senate Bill 0981 which mandates that all Law Enforcement agencies must submit SAKs to TBI within 60 days of collection, unless the Victim declines to pursue the investigation and it becomes a Hold kit. Most recently, TBI applied for and received a Grant for nearly one million dollars from the District Attorney's Office of Manhattan. Between the DANY Grant and the BJA Grant, the City of Memphis received nearly four million dollars. I hope that this demonstrates that TBI takes this issue very seriously, and is working hard to resolve it.

- 2) See above
- 3) See above
- 4) See attached

Any further correspondence can be directed to; Public Information Officer Susan Niland

[REDACTED]





[REDACTED]@joyfulheartfoundation.org>

RE: End the Backlog Project (Tennessee)

2 messages

To: [REDACTED]@joyfulheartfoundation.org>

[REDACTED]

I was finally able to speak with Susan Niland at the TBI earlier today. I explained to her that we were interested in information available regarding the backlog, and mentioned the WKRN story from a few weeks ago that discussed the backlog. I should send her the written request, and that she would call me to discuss any questions once she has a chance to review a final copy of the letter and request form that I am planning to send her.

After our phone conversation, Susan emailed me and said she spoke to her colleague who handled the WKRN story. Some of the information contained in their story was inaccurate. She didn't elaborate as to what was inaccurate, but the request asks them to provide any of the data or statistics they do have, so hopefully we will be able to analyze that information.

Last, Susan sent me a link to the City of Memphis' website which includes monthly updates regarding the status of sexual assault cases in their jurisdiction. You may already have seen this but just in case: <http://www.cityofmemphis.org/SexualAssault>. In a brief review of the reports today, the City of Memphis does appear to have the ability to track sexual assault statistics on their progress. I imagine the TBI probably has a similar ability to produce these types of figures, so hopefully they get them on the right track to provide that information.

Let me know if you have any questions.

Thanks again!

[REDACTED]



Fwd: End the Backlog website

[redacted]@joyfulheartfoundation.org>
[redacted]@joyfulheartfoundation.org>

[redacted]
[redacted]
Joyful Heart Foundation
[redacted]

----- Forwarded message -----

From: [redacted]
Date: Mon, Oct 24, 2016 at 5:44 PM
Subject: Re: End the Backlog website
To: [redacted]
Cc: [redacted]

This is great. Very helpful. I think we have gotten all we need.
I'll confirm and let you know.

Thanks for your work!

[redacted]
On Oct 24, 2016, at 5:06 PM, [redacted] wrote:

[redacted],

I just received the email below from Susan Niland at the TBI – they have sent us a list of the current backlog of kits that are waiting to be tested in each of their three labs. According to Susan's email below, there are a total of 594 kits that have not yet been tested. My guess is that this list does not include any kits that have been outsourced to another lab for testing – which they have mentioned that they are doing in some cases. While they did not provide all of the information we requested (such as how many kits they received in the past year), this was definitely a step in the right direction since they've previously been unwilling or unable to even share these numbers.

Let me know if you or your team would like to follow back up with the TBI, or whether you think this information is sufficient for the time-being.

Thanks,

From: Susan Niland [redacted]
Sent: Monday, October 24, 2016 4:01 PM
To: [redacted]
Subject: RE: End the Backlog website

Hello [redacted],

Our Forensics Division has been able to compile the number of Untested Sexual Assault Kits of 10/21/16 at the TBI Crime Labs statewide.

I know the Joyful Heats Foundation was looking for some metrics related to the number of untested SAKs in possession of TBI, so we have these numbers to pass on to them:

The number of cases awaiting testing are:

Nashville	87
Knoxville	170
Memphis	337
Total	594

Regards,

Susan Niland

From: [REDACTED]
Sent: Wednesday, October 12, 2016 2:24 PM
To: Susan Niland
Subject: RE: End the Backlog website

Susan,

Joyful Heart is still looking for information regarding the backlog of untested sexual assault kits across the state. While we appreciate the information that TBI has worked to provide thus far, we are still looking for more detailed information about the backlog.

What the Foundation is looking for is information that will provide a time-snapshot that helps quantify the size of the backlog. For example, in 2015, can TBI provide information which tracks (i) the number of kits sent to the lab, (ii) the number of kits processed by the lab, and (iii) the number of kits still awaiting processing at the lab. In other words, the Foundation would like to know how many kits were sent to TBI for testing in 2015, and then what happened to those kits? Of the kits that the TBI received, how many are still awaiting testing? While we understand from the TBI's prior responses that there are some obstacles to providing this information, we are looking for whatever metrics the TBI can provide.

And if the TBI cannot provide this type of information, the Foundation would appreciate a written response from the TBI that clearly explains why it cannot provide that information.

Thanks,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]