



STATE OF WASHINGTON  
WASHINGTON STATE PATROL

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April 8, 2022

TO: All Crime Laboratory Users  
FROM: Mr. Gene P. Lawrence, Crime Laboratory Division  
SUBJECT: Policies for Submission of Sexual Assault Kit Evidence

Pursuant to RCW 5.70.040, when a law enforcement agency receives a sexual assault kit from a medical facility, the law enforcement agency must, within thirty days of its receipt, submit a request to the Washington State Patrol Crime Laboratory for its testing if:

- (a) The law enforcement agency has received a related report or complaint alleging a sexual assault or other crime has occurred; and
- (b)(i) Consent for laboratory examination has been given by the victim; or
- (ii) The victim is a person under the age of eighteen who is not emancipated pursuant to chapter **13.64** RCW.

Effective May 1, 2022, the Washington State Patrol (WSP) Crime Laboratory Division adopts the following policies for all Sexual Assault Kit (SAK) submissions in order to effectively and efficiently provide timely testing of all SAKs submitted.

#### Sexual Assault Kit Evidence Item Acceptance

Tier 1: Evidence items on the first laboratory submission will be limited to the main SAK box collected from the survivor and any known reference standards required from suspects, if any for comparison purposes, and any consensual partners for elimination purposes. SAK submissions will only be accepted with the new SAK Request for Laboratory Examination (RFLE) form. The WSP will provide a link to the new SAK RFLE form as soon as it is available.

Tier 2: Based on the circumstances of the case, testing of additional evidence items, such as clothing or condoms, may be warranted and can be submitted on a subsequent request after the testing of the Tier 1 evidence has been completed. Please contact a DNA Supervisor to discuss a request for Tier 2 testing. Exceptions to this policy may be required for cases in need of expedited testing (e.g. court or cases with immediate public safety concern). Non-SAK evidence and Tier 2 testing requests will be accepted at your local laboratory on the standard WSP RFLE form.

#### Submission Requirements

To submit a request for Tier 1 testing, the following two things must be collectively provided to the Crime Laboratory for your request to be considered complete and accepted:



### 1. SAK RFLE Form

Please complete all required fields and a narrative summary of the facts of the case. This information is critical to inform what samples need to be tested, how the lab will conduct the testing, and to determine the eligibility of any resulting DNA profiles for CODIS upload. Authorization to consume the evidence is required at submission of the testing request on cases without a charged individual. Incomplete forms will not be accepted as received. The standard RFLE form will not be accepted for SAK testing.

### 2. Sexual Assault Kit and any known DNA reference standards

These evidence items must accompany the submission paperwork so that the testing process can start as soon as possible.

Any missing components of the submission of the evidence and request form will be considered an incomplete request, and the Crime Laboratory will not be able to begin the testing process until all missing elements are received.

For any questions related to this policy or the Crime Laboratory Division's policies regarding the acceptance and testing of SAKs, please contact Mr. Gene P. Lawrence at [gene.lawrence@wsp.wa.gov](mailto:gene.lawrence@wsp.wa.gov) or (360) 250-6740.

For any questions related to the submission process or inquiries about submitting your SAK evidence for testing, please reach out to your local Crime Laboratory for further guidance.

The WSP staffed and equipped a centralized High Throughput SAK testing lab (HTL) within the Vancouver Crime Laboratory in order to provide fast, efficient testing of SAKs to best support sexual assault survivors and meet the testing mandate in RCW 5.70.040. As the HTL completes final method validation needed to achieve maximum throughput capacity, some SAKs will continue to be tested in the other labs. Once the HTL is at full capacity, all Tier 1 items will be submitted to the HTL.

For Crime Laboratory resources, please refer to the [FLSB Forensic Services Guide](#). For more information regarding the tracking and testing of SAKs, please visit <https://www.wsp.wa.gov/sak>.

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cc: Forensic Investigations Council