

**ATTORNEY GENERAL
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LAW ENFORCEMENT MEMORANDUM

TO: All New Hampshire County Attorneys and Law Enforcement Agencies

FROM: Jane E. Young, Deputy Attorney General 

DATE: February 22, 2021

RE: ACTION REQUIRED– Receipt and Assessment of Reports of Laboratory Examinations of Sexual Assault Evidence Collection Kits

Previously, this Office requested law enforcement agencies report the number of sexual assault evidence collection kits (kits) that had not been delivered to the New Hampshire State Police Forensic Laboratory (Lab). That data was used to secure the Bureau of Justice Assistance’s Sexual Assault Forensic Evidence–Inventory, Tracking, Reporting (SAFE-ITR) Program grant. As part of that grant and thanks to the diligent efforts of law enforcement agencies, many unsubmitted kits and kits that were not analyzed according to today’s standards have now been delivered to the Lab for analysis.

The purpose of this memorandum is to ensure that all law enforcement and prosecutorial agencies are prepared to: 1) receive the influx of Reports of Laboratory Examinations (reports) associated with the testing of these kits; and 2) ensure that those reports are properly assessed and acted upon.¹

While the majority of the cases associated with these kits are likely closed, I am nevertheless requesting that each law enforcement agency assign an officer, trained in sexual assault investigation, to review these reports upon receipt. Then, in consultation with your respective county attorney, a determination is to be timely made as to whether the investigation should be reopened or if the victim must be notified. *See*, RSA 21-M:18, I (b)(2) (a sexual assault survivor has the right to “be informed of any result of a sexual assault evidence collection kit . . . if such disclosure would not impede or compromise an ongoing investigation.”).

If your agency has not yet been contacted about the SAFE-ITR Program or if you have any questions, please contact SAFE-ITR Coordinator, Julie Curtin at (603) 931-2325 or Julie.A.Curtin@doj.nh.gov.

Thank you for your anticipated cooperation as we strive to provide all sexual assault victims with the most complete investigation possible.

¹ New Hampshire State Police Forensic Laboratory Director, Melisa Staples, has agreed to send copies of the reports to the submitting agency and the respective county attorney.