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# Bureau of Criminal Apprehension: Decreasing Forensic Evidence Turnaround Time

FY2024 legislative report

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# Introduction

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The Minnesota Legislature in 2023 appropriated funding to the Minnesota Department of Public Safety Bureau of Criminal Apprehension (BCA) to decrease the amount of time it takes to process evidence in criminal investigations for state and local law enforcement partners. The additional staff and supplies funded under this provision were intended, among other purposes, to reduce the backlog in sexual assault examination kit testing, to prevent future backlogs in testing sexual assault examination kits, and to provide victim-survivors access to the status of their exam kits tests.

The appropriation included a provision that requires the Department of Public Safety to submit a report to the legislature by Jan. 1 of each year, starting in 2025, on the use of these funds in the previous fiscal year. Additionally, the report must: (1) include the data necessary to understand sexual assault examination kit testing times; and (2) identify the barriers to testing all sexual assault examination kits within 90 days of receipt by the laboratory in the preceding year and in the upcoming year. (See Minn. Session Laws Ch. 52, Art. 2, sec. 3, subd. 4(j))

## FY24 appropriation expenditures

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During fiscal year 2024 (FY24), the BCA used funds for personnel expenses associated with 27 full-time employees. These positions were assigned to various sections of the BCA to support increased capacity aimed at reducing the number of backlogged cases and the average testing turnaround times. Supported areas included the DNA/biology section, the primary section involved in the testing of sexual assault kits. Other funds were expended to support additional staff; ongoing backlog reduction; and capacity building including through training, space renovation and expansion of instrumentation. These efforts will continue into FY25.

## Sexual assault kit testing

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The Minnesota Legislature in 2020 passed [Minn. Stat. § 299C.106](#) setting forth requirements aimed at improving the process for handling sexual assault kits and increasing transparency of testing status to victim-survivors. The BCA, with input from relevant stakeholders including but not limited to advocates, medical providers and law enforcement, developed and released a Uniform Consent Form in January 2020 and procured and implemented a statewide kit tracking system in July 2022.

[Minn. Stat. § 299C.106, subdivision 3](#) was amended in 2023 to include that, beginning July 1, 2024, the receiving forensic laboratory must strive to test the sexual assault examination kit within 90 days of receipt from a hospital or law enforcement agency. Sexual assault examination kits shall be prioritized for testing along with other violent crimes. Upon completion of testing, the forensic laboratory must update the kit-tracking database to indicate that testing is complete. The forensic laboratory must notify the submitting agency when any kit is not tested within 90 days and provide an estimated time frame for testing completion.

## Testing timelines

The BCA laboratory observed improved turnaround times in 2024 when additional scientists dedicated to addressing cases involving sexual assault completed DNA training, began independent casework production and had made progress on reducing the existing backlog of cases.

- In 2023, the laboratory completed work within 90 days on 11% of sexual assault kits submitted for testing (106 of 979 kits). This excludes kits submitted as part of the 2015 statewide inventory.
- By the first quarter of 2024, 51% of kits were completed within 90 days (197 of 389 kits). By the second quarter that number rose to 89% (241 of 270 kits).
- ***As of July 1, 2024 — the deadline stated in the 2023 amended language to Minn. Stat. § 299C.106, subd. 3 — the BCA had no sexual assault kits pending over 90 days. As a result, no notifications to submitting law enforcement agencies were necessary.***
- Current cases submitted to the BCA laboratory continue to be processed within the-90 day turnaround time.

## Kit tracking

The BCA launched Track-Kit, a program designed to track the whereabouts and testing status of sexual assault kits and improve process accountability for victim-survivors, in July 2022. The BCA coordinated with law enforcement, medical facilities, forensic laboratories, advocates and county attorneys to implement the new statewide system. Medical facilities, law enforcement, forensic laboratories and attorneys access Track-Kit using secure portals.

Medical facility personnel enter sex assault kit information into Track-Kit and provide the victim-survivor with a login and number they can use to track the status of their kit as it moves through the testing process. Victim-survivors can also find advocacy resources and contact information for the professionals affiliated with their kit. Track-Kit uses a barcode system to update information about kit status and location in real-time and in compliance with [Minn. Stat. § 299C.106](#).

Since Track-Kit's implementation, over 3,352 sexual assault kits have been tracked (2,312 unrestricted kits and 1,040 restricted kits). As of June 30, 2024, victim-survivors have accessed the system over 1,215 times.

Track-Kit users as of June 30, 2024 (two full years in use):

- 1,416 medical facility users
- 2,846 law enforcement agency users
- 47 forensic laboratory users

# Potential barriers to a 90-day turnaround time

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The BCA will continue to strive to complete all sexual assault cases within 90 days. However, challenges may arise that affect testing capacity including budget-related or personnel-related issues, surges in demand for services, or unanticipated technical issues.

A current example of a personnel-related issue is the fact that several trained DNA scientists are scheduled for planned leave in late 2024 and early 2025. The BCA is also continuously evaluating new technology to deliver innovative forensic services. Evaluations, validations and training require investments of scientist time. Technology advancement currently planned for 2025 include forensic investigative genetic genealogy, Rapid DNA and automation robotics. As these challenges play out, BCA management evaluates the impact to services and works to identify and implement temporary resource reallocation and strategic business decisions to mitigating negative impact to public safety.