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DA Announces All Rape Kit Testing Completed & Results in New Sexual Assault Case Being Filed

Test Results Now Being Uploaded into DNA Database

San Diego County District Attorney [Summer Stephan](#) announced today that all 2,030 untested sexual assault kits (SAKs) from 12 police agencies across the county have been tested after being sent to an independent lab. It is yet another significant milestone in this three-year project. The DA also said testing has resulted in a new criminal case being filed against a defendant accused of sexually assaulting a 13-year-old girl in 2014. Larry Gene Rivers, 57, is charged with two felony counts of a lewd act upon a child and faces up to 21 years in prison if convicted. DNA evidence from a sexual assault kit that was part of the DA's testing project led to the charges. Rivers was arraigned on April 16 and has a preliminary hearing scheduled for August 24.

“With the filing of a criminal case as a result of our testing project, it’s proof that these sexual assault kits contain powerful evidence that can speak on behalf of victims and help us pursue justice on their behalf years later,” said District Attorney **Summer Stephan**. **“There is a lot of work that goes on behind the scenes to investigate the results we’re getting from the CODIS uploads. Behind this monumental milestone of testing 2,030 sexual assault kits is an elite DA team of prosecutors, investigators, paralegals and victim advocates who worked tirelessly to bring dignity and determination to each case. We will continue to prioritize the testing of sexual assault kits and to invest in following up and investigating any hits to determine if a case built on proof beyond a reasonable doubt can be filed.”**

Results have come back from all the kits that were sent for testing and indicate that 735 of the SAKs contained DNA other than the victim’s. If the DNA profile developed meets the requirements of CODIS, that DNA is now in the process of being uploaded into the FBI’s national [CODIS](#) (Combined DNA Index System) database to determine if there is a potential offender match.

As of May 2021, DNA results from 485 Sexual Assault Kits have been uploaded into CODIS. The labs responsible for conducting the CODIS uploads for this project are Verdugo Lab in Glendale and the San Diego County Sheriff’s Department Crime Lab. Of the SAKs uploaded to



CODIS so far, 167 are new offender hits, 125 of which are “Warm” hits, and 42 hits are “Cold” hits. A “Warm” hit is when the suspect was known to the victim or the victim knew the real name of the suspect and the suspect was identified. A “Cold” hit is when the suspect was not known to the victim, or the victim did not provide an actual real name or identification.

There have been 52 case-to-case hits (forensic hits), which is when a DNA profile from one case matches to a DNA profile from a different case, including both solved and unsolved cases. A case-to-case hit could lead to an investigation. 100 profiles hit in CODIS to an offender sample (conviction match) but are not considered a new offender hit. It is important to note that the number of CODIS hits will increase as more SAKs are uploaded into CODIS.

The DA’s Office is reviewing the results from the CODIS uploads which could lead to new investigations. About 36% of the SAKs tested by Bode Labs produced a DNA profile or partial DNA profile that belongs to a person who is not the victim. Any eligible DNA profiles are uploaded into the DNA database. The DA’s Office reviews the results of matches between the DNA evidence from SAKs and DNA profiles in the DNA database. Investigators use matches from the DNA database to re-examine the case to determine if it can be proven beyond a reasonable doubt with the new evidence.

Statistics related to the testing are updated monthly and can be found on the [DA’s public website](#).

The announcement that the first part of this large scale county-wide public safety initiative has been completed clears the untested rape kits from the Sheriff’s Department, eight Police Departments and three University Police Departments. This initiative does not include rape kits from the San Diego Police Department, which also made the determination to send their Sexual Assault Kit inventory to the same outside laboratory for testing as is being used in the DA’s project.

Reducing the countywide backlog of untested sexual assault kits (SAKs) has been a priority for DA Summer Stephan since taking office and to fulfill that priority, she identified funding and retained Bode Cellmark Forensics of Lorton, Virginia, which has a track record of excellence in DNA testing. To date, more than \$1.7 million has been spent by the District Attorney’s Office on testing. Sheriff William Gore and the San Diego County Sheriff’s Department are key partners in the project, which received praise from victims’ rights groups like the Joyful Heart Foundation.

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About the San Diego County District Attorney’s Office

The San Diego County DA’s Office prosecutes all felony crimes in the county and misdemeanor crimes committed outside the City of San Diego. The office files about 40,000 criminal cases a year and balances prosecution with numerous crime prevention programs. District Attorney Summer Stephan leads the office of more than 1,000 dedicated employees who pursue fair and equal justice, and support victims daily across San Diego County.