

116TH CONGRESS
1ST SESSION

H. RES. 81

Expressing the sense of the House of Representatives regarding the need for State legislatures to pass comprehensive sexual assault kit reforms by 2021.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 2019

Mr. JOYCE of Ohio (for himself, Ms. KUSTER of New Hampshire, Mr. KATKO, Ms. SPEIER, Mr. TURNER, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BALDERSON, and Ms. WASSERMAN SCHULTZ) submitted the following resolution; which was referred to the Committee on the Judiciary

RESOLUTION

Expressing the sense of the House of Representatives regarding the need for State legislatures to pass comprehensive sexual assault kit reforms by 2021.

Whereas survivors of sexual assault may undergo an hours-long sexual assault forensic exam to preserve DNA evidence;

Whereas many sexual assault kits across the country remain untested;

Whereas untested sexual assault kits represent individuals who have been denied the opportunity to seek justice and begin healing;

Whereas testing sexual assault kits may help law enforcement officials identify repeat offenders and serial rapists;

Whereas the testing of 11,341 sexual assault kits in Detroit has resulted in 2,616 DNA matches and the identification of more than 800 potential serial rapists, and the DNA samples from the kits tested in Detroit are linked to other violent crimes committed in 40 States and the District of Columbia;

Whereas ending the sexual assault kit backlog requires the commitment of Federal, State, and local governments and their partners; and

Whereas in 2016, the Begun Center for Violence Prevention Research and Education at Case Western Reserve University, in partnership with the Cuyahoga County Prosecutor Office, analyzed the cost of testing backlogged sexual assault kits in Cuyahoga County, Ohio, and found that each kit tested produces an estimated net savings to the community of \$8,893 and testing 4,347 kits produces an estimated net savings of \$38,700,000: Now, therefore, be it

1 *Resolved*, That it is the sense of the House of Rep-
 2 resentatives that State legislatures should pass sexual as-
 3 sault kit reform legislation that requires—

4 (1) the State to establish collaborations with
 5 State and local sexual assault advocates, sexual as-
 6 sault nurse examiners, law enforcement officers, and
 7 others to ensure that—

8 (A) a sexual assault advocate is made
 9 available to sexual assault survivors upon a re-

1 port to law enforcement, during a sexual as-
2 sault forensic exam, and for ongoing support
3 and services;

4 (B) sexual assault survivors are notified of
5 their rights and kit results in a trauma-in-
6 formed manner, in collaboration with sexual as-
7 sault advocates; and

8 (C) policies and procedures pertaining to
9 sexual assault kit examinations, testing, and no-
10 tification are victim-centered and developed col-
11 laboratively across victim advocacy, medical,
12 law enforcement, and other sexual assault re-
13 sponse team partners;

14 (2) the State to conduct an annual statewide
15 audit to inventory all untested sexual assault kits
16 with the goal of understanding the scope of the
17 problem and to monitor progress in eliminating the
18 backlog of previously unsubmitted and untested kits;

19 (3) law enforcement agencies to submit all pre-
20 viously untested sexual assault kits to a laboratory
21 and mandates that the laboratory test these kits for
22 DNA within a specific timeframe and upload the re-
23 sults into appropriate State and Federal databases;

24 (4) law enforcement agencies to promptly sub-
25 mit all newly collected kits that have been released

1 for testing to the laboratory and mandates that the
2 laboratory test these kits for DNA within a specific
3 timeframe and upload the results into appropriate
4 State and Federal databases;

5 (5) the State to develop a sexual assault kit
6 tracking system that includes a mechanism for sur-
7 vivors to check the status of their kits through the
8 process, from collection to analysis, and ensure that
9 hospitals, law enforcement, and laboratories are
10 using the same system to track sexual assault kits;

11 (6) the State to have the appropriate mecha-
12 nisms to notify survivors about their right to know
13 the status and location of their sexual assault kits
14 and their case; and

15 (7) the State to contribute appropriate and sus-
16 tainable funding to address issues related to the
17 unsubmitted and untested sexual assault kit backlog,
18 including trauma-informed support services for sur-
19 vivors.

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