



## **SUPPORT TRACKING AND PROCESSING SEXUAL ASSAULT KITS SUPPORT HB 2530**

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A sexual assault forensic medical examination is a specific medical procedure that includes detailed collection of evidence from a sexual assault victim. It is a highly invasive and comprehensive exam which takes approximately 4-6 hours to complete. Under a law we helped to enact in 2015, sexual assault kit evidence collected from these exams, must be forwarded from law enforcement to the crime lab within 30 days.

The law was not retroactive, so it excluded kits that were collected prior to July 2015. There are approximately 6,000 untested sexual assault kits from before 2015 which have no prioritized funding or guiding directive to test. This means that 6,000 sexual assault victims who bravely came forward years ago, are still waiting for justice. It is critical that the state address the thousands of untested kits in WA. The bill creates a funding mechanism and authorizes use of private laboratories for outsourcing kit testing to do just that. Dedicated funding and utilization of external labs will prioritize and support expedited testing of kits in Washington State.

It's essential that sexual assault victims who bravely came forward to give evidence years ago have their kit tested and receive access to justice. Further, by these kits remaining untested there is no identification or prosecution of sex offenders, which is a public safety threat. The bill establishes and funds 5 year grants to create regional task forces composed of local law enforcement and community sexual assault victim advocates to ensure that their region's untested kits are submitted for testing and to design and implement victim notification and support practices within their community. This will move the state towards resolving the large volume of untested kits and in providing trauma-informed and sensitive victim notifications years and years after the original commission of the crime.

HB 2530 increases our state's capacity to process and test kits and by creating a statewide tracking system to provide victims with much needed information and to improve system accountability.

The state currently lacks a system to track sexual assault kit collection and processing. That means that sexual assault victims, after undergoing a very intensive collection process, have no access to information about their kit. Rep. Orwall's bill, HB 2530, creates a statewide tracking system for enhanced system accountability, streamlined tracking, and to confidentially provide victims with access to information about the status of their kits. It will track kit movement from the point of collection at the hospital, to law enforcement custody, to the crime lab testing, and any subsequent storage or destruction of the kit.

Additionally, the tracking system provides the state with comprehensive information about the amount of kits submitted, testing status, and testing timeframes provided through reports by the Washington State Patrol. It is critical that as the tracking system develops, victim privacy is strictly upheld to protect victim identity and victim safety.

The bill creates a \$4 fee collected from patrons per admission to sexually oriented live adult entertainment establishments to fund testing of sexual assault kits and other programs and services for victims. The bill also authorizes the Department of Commerce to accept private donations to fund testing of kits, the WASPC grant program, and training for sexual assault nurse examiners.

We are working with proponents to identify potential alternate funding sources. We believe firmly that the components of this bill should be state funded rather than fee supported for long term investment and sustainability. We support the work of the bill to create alternative funding mechanisms, particularly private donations to help ensure that sexual assault kits in WA are tested, offenders held accountable, and victim access to justice restored.

Having 6,000 untested kits in Washington for an extended period of time is unconscionable, as is not having a sustainable state funded system to address the spectrum of needs of sexual assault victims, response, and bringing offenders of sexual violence to justice.

## Solution

- Support sexual assault victim access to justice, offender accountability, and community safety.
- Support and fund HB 2530, which requires tracking of sexual assault kits and outlines funding streams for untested kits and victim needs in WA.
- Maintain critically important privacy protections to protect victims' identities and safety.

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