

Honolulu, Hawaii

April 29, 2016

RE: H.B. No. 1907
H.D. 2
S.D. 2
C.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1907, H.D. 2, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Require all law enforcement agencies and departments charged with maintenance, storage, and preservation of sexual assault evidence collection kits to conduct an inventory of all kits they store and transmit a report of the number of untested sexual assault evidence collection kits they possess to the Department of the Attorney General by September 30, 2016;
- (2) Require the Department of the Attorney General to report the number of untested sexual assault evidence collection

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kits being stored and various information related to those kits by December 1, 2016; and

- (3) Appropriate an unspecified amount of funds to the Department of the Attorney General to initiate the testing of at least five hundred untested sexual assault evidence collection kits by December 31, 2016, and require the Department to distribute the funds among the Counties of Hawaii and Maui, and the City and County of Honolulu based on each county's pro rata share of untested kits as of July 1, 2016.

Your Committee on Conference appreciates the work of national organizations, like the Joyful Heart Foundation, to reduce the number of untested sexual assault evidence collection kits across the country. They have many helpful resources on how other communities are addressing this issue, including expertise on best practices for victim notification. Your Committee on Conference intends that the Department of the Attorney General will work with community stakeholders such as the Joyful Heart Foundation, Commission on the Status of Women, and others, to prepare the report to the Legislature.

Your Committee on Conference strongly supports a victim centered approach to addressing sexual assault crimes in the community and has revised the appropriation in this measure to include victim support services. The Department of the Attorney General should work with community organizations and non-profits to assist victims who may need counseling and other services after learning about the results of their sexual assault evidence collection kits.

Your Committee on Conference has amended this measure by:

- (1) Changing from September 30, 2016, to September 1, 2016, the due date for law enforcement agencies and departments responsible for sexual assault evidence collection kits to conduct an inventory of all kits and submit a report to the Department of the Attorney General;
- (2) Requiring all law enforcement agencies and departments to submit new sexual assault evidence collection kits for testing in accordance with the criteria and policies established by the Department of the Attorney General pursuant to this measure beginning July 1, 2017, and to complete testing of all untested kits by July 1, 2018;



- (3) Clarifying that the Department of the Attorney General shall involve community stakeholders, including representatives from each county, in drafting its report and shall include the criteria and processes for testing untested and new kits in its report;
- (4) Inserting an appropriation amount of \$500,000 to the Department of the Attorney General to initiate the testing of at least 500 untested kits in accordance with specified criteria, report results to the FBI Combined DNA Index System, and provide associated support services to victims affected by the testing; and
- (5) Changing its effective date to July 1, 2016.


As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1907, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1907, H.D. 2, S.D. 2, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE

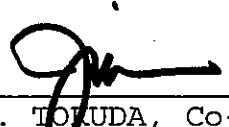
ON THE PART OF THE HOUSE


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