

Honolulu, Hawaii

March 25, 2015

RE: S.B. No. 275  
S.D. 2  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 275, S.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this measure is to augment the resources available to the State and counties to respond to sexual assaults by establishing, within the Department of the Attorney General, the Hawaii Sexual Assault Response and Training (HSART) Program. Specifically, this measure:

- (1) Provides that the HSART program shall be a statewide coordinated, multi-disciplinary approach to delivering medical care to victims of sexual assault, and for the collection, management, and evaluation of forensic evidence;
- (2) Specifies that the Department of the Attorney General shall administer the HSART Program and the membership of the HSART program shall include representatives of the counties' prosecuting attorneys, sexual assault medical professionals, and police departments, and the Honolulu Police Department's Scientific Investigation Section:



- (3) Specifies the time frames pertaining to the collection, management, submittal, and analysis of forensic medical evidence related to sexual assault offenses;
- (4) Appropriates funds to the Department of the Attorney General for the HSART Program; and
- (5) Appropriates funds to the Honolulu Police Department for its Scientific Investigation Section to increase its capacity to meet the requirements of the new time frames for the analysis of sexual assault forensic evidence kits.

The YWCA of Kauai, The Sex Abuse Treatment Center, and a concerned individual testified in support of this measure. The Honolulu Police Department testified in support of the intent of this measure and provided comments. The Department of the Attorney General testified in support of establishing the HSART program and recommended amendments.

Your Committee finds that the HSART Program provides crucial services for forensic examinations across the State, particularly in its rural areas.

Your Committee notes with concern that the Honolulu Police Department does not know how many of the sexual assault evidence kits have been collected, but not analyzed. Furthermore, it is unclear whether the additional funds requested by the Honolulu Police Department would be used to decrease the number of unanalyzed evidence kits or whether the additional funds would be used to prevent the backlog of future cases. It is the intent of this Committee that the additional funds be used to eliminate the present backlog as well as prevent future backlogs.

Your Committee notes that Act 113, Session Laws of Hawaii 2014, removed the time bar for the prosecution of serious sexual assaults. This Committee finds that in the interest of justice for all victims and for the future protection of the public, there is a high priority to test old evidence kits in order to identify and arrest the perpetrators of sexual assaults.

Your Committee has amended this measure by deleting the reference in the preamble to the phrase "county sexual assault response teams", which is not used by the HSART Program.



As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 275, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 275, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



---

KARL RHOADS, Chair



