

STAND. COM. REP. NO. 875

Honolulu, Hawaii

MAR 06 2015

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

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 275, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to augment the resources available to the State and counties to respond to sexual assaults.

Specifically, the measure:

- (1) Establishes a statewide sexual assault response system within the Department of the Attorney General;
- (2) Requires the prosecuting attorney for each county to organize a county sexual assault response team;
- (3) Establishes forensic medical examination protocols for sexual assault cases in both the health and forensic identification statutes; and
- (4) Appropriates funds to the Department of the Attorney General and the counties.

Your Committee received written comments in support of this measure from one individual. Written comments in opposition to this measure were received from the Department of the Prosecuting Attorney - County of Maui. Written comments on the measure were



received from the Department of the Attorney General, the Honolulu Police Department, and the Sex Abuse Treatment Center.

Your Committee finds that the Hawaii Sexual Assault Response and Training Program was a successful statewide consultative partnership between the Department of the Attorney General, the county prosecutors' offices, the police departments, sexual assault centers, medical and forensic examiners, and the Honolulu Police Department crime laboratory. The program served to coordinate and standardize the handling of sexual assault medical-legal cases statewide and fulfilled the goals of the statewide response system proposed under this measure. Unfortunately, the program was disbanded in 2014 due to a lack of dedicated funding.

Your Committee has amended this measure by adopting the recommendation of the Department of the Attorney General that the Hawaii Sexual Assault Response and Training Program, which was operating very effectively until funding ended, be reestablished. More specifically, your Committee has amended this measure by:

- (1) Renaming the "statewide sexual assault response system" as the "Hawaii sexual assault response and training program" and clarifying its purposes and the role of the Department of the Attorney General;
- (2) Deleting the provisions establishing county sexual assault response teams and replacing them with provisions requiring county membership in the Hawaii sexual assault response and training program;
- (3) Deleting the provision that establishes a forensic medical examination protocol in the statutes relating to the Department of Health;
- (4) Clarifying the purposes of the appropriation to the Department of the Attorney General; your Committee notes that the Attorney General has indicated that the estimated cost to re-start the program is \$132,000; and
- (5) Replacing the appropriation to the counties with a grant-in-aid to the Honolulu Police Department.



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

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



JILL N. TOKUDA, Chair



