

Honolulu, Hawaii

APR 25 2017

RE: H.C.R. No. 133

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawaii

Sir:

Your Committee on Public Safety, Intergovernmental, and  
Military Affairs, to which was referred H.C.R. No. 133 entitled:

"HOUSE CONCURRENT RESOLUTION URGING LAW ENFORCEMENT AGENCIES  
TO FOLLOW THE GUIDELINES DEVELOPED BY THE MALAMA KAKOU  
PROJECT FOR THE TESTING OF SEXUAL ASSAULT EVIDENCE COLLECTION  
KITS AND REQUESTING AN ANNUAL REPORT FROM THE DEPARTMENT OF  
THE ATTORNEY GENERAL ON THE TESTING OF SEXUAL ASSAULT  
EVIDENCE COLLECTION KITS IN THE STATE,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Urge law enforcement agencies to follow the guidelines developed by the Malama Kakou Project for the testing of sexual assault evidence collection kits;
- (2) Request the appropriate law enforcement agencies to submit sexual assault evidence collection kits that meet the testing guidelines to a laboratory for testing within ninety days and subsequently follow-up with that laboratory within ninety days of the request; and
- (3) Request an annual report from the Department of the Attorney General on the testing of sexual assault evidence collection kits in the State.



Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women; Community Alliance on Prisons; Planned Parenthood Votes Northwest and Hawaii; Joyful Heart Foundation; and Ho'omana Pono, LLC.

Your Committee finds that reducing the incidence of sexual assault and ensuring the rights of sexual assault victims are vital to ensuring public health and safety. An inventory of all four county police departments showed that approximately thirteen percent of all sexual assault evidence collection kits collected in the State since 1992 had been tested as of June 30, 2016. In 2016, at the direction of the Legislature, the Attorney General convened a working group to develop statewide standards and practices for the testing of sexual assault evidence collection kits. This working group developed the Malama Kakou Project, a state plan to reform the testing of sexual assault evidence collection kits. The Malama Kakou Project established guidelines to determine whether a kit should be tested, a priority order for kits that are to be tested, and a process for police departments to follow in implementing the defined criteria and priorities. Your Committee finds that the recommendations of the Malama Kakou Project would greatly enhance the process for testing sexual assault evidence collection kits. Therefore, all law enforcement agencies in the State charged with collecting sexual assault evidence collection kits are urged to follow the guidelines developed by the Malama Kakou Project.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 133, and recommends its adoption.

Respectfully submitted on  
behalf of the members of the  
Committee on Public Safety,  
Intergovernmental, and Military  
Affairs,



CLARENCE K. NISHIHARA, Chair



The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Public Safety, Intergovernmental, and Military Affairs**  
**PSM**

Bill / Resolution No.:* <b>HC R 133</b>	Committee Referral: <b>PSM</b>	Date: <b>8/21/17</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)	✓			
WAKAI, Glenn (VC)	✓			
BAKER, Rosalyn H.	✓			
IHARA, Jr., Les				✓
THIELEN, Laura H.				✓
<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original             Yellow             Pink             Goldenrod File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy				

\*Only one measure per Record of Votes