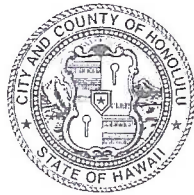


POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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OUR REFERENCE WK-WK

March 28, 2017

LATE

The Honorable Clarence K. Nishihara, Chair
and Members
Committee on Public Safety,
Intergovernmental, and Military Affairs
State Senate
Hawaii State Capitol
415 South Beretania Street, Room 229
Honolulu, Hawaii 96813

Dear Chair Nishihara and Members:

SUBJECT: Senate Concurrent Resolution No. 100, 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

I am Forensic Laboratory Director Wayne Kimoto of the Scientific Investigation Section of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD appreciates the intent of this resolution and submits the following comments and recommendations.

This resolution recognizes the Malama Kakou Project outlined in the Report on Untested Sexual Assault Evidence Collection Kits Retained by County Police Departments, Plans and Procedures for the Disposition of Currently Untested Kits and New Kits and Related Information prepared by the Act 207 (2016) Working Group (dated December 1, 2016, and submitted to the Legislature for the Regular Session of 2017) as a state plan to reform the testing of sexual assault evidence collection kits in Hawaii. However, it does not include the report's recommendation regarding a short-term plan to sustain sexual assault kit testing reform.

The recommendation is for FY 2018 funding to test new sexual assault kits that may not be covered by the National SAKI grant and the NIJ-FBI Sexual Assault Kit Partnership. Section N of the report outlines the justification for Private Laboratory Testing Services in the amount of \$174,000 for 232 sexual assault kits at \$750 a kit.

The Honorable Clarence K. Nishihara, Chair
and Members
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The funding will be needed as the testing of new sexual assault kits will not be covered by the 2016 National Sexual Assault Kit Initiative (SAKI) grant.

The HPD respectfully requests an amendment to the resolution with the following appropriation provision:

There is appropriated out of the general revenues of the State of Hawaii the sum of \$348,000 or so much thereof as may be necessary for fiscal year 2017-2018 and fiscal year 2018-2019 for purposes relating to the testing of new sexual assault evidence collection kits by the four county police departments that will not be covered by the 2016 National Sexual Assault Kit Initiative (SAKI) Grant; provided that the appropriation shall be expended by the Department of the Attorney General for purposes of the four county police departments.

There is a critical need for further funding and resources if the laboratory selected by the law enforcement agency is expected to meet the 90-day criteria established by the resolution. Beyond funding, it's also a capacity issue with regard to the 90-day period if the laboratory contracted to test the sexual assault kits is unable to meet the 90-day requirement. It's relatively clear at this point that even the NIJ-FBI Sexual Assault Kit Partnership is having a difficult time keeping up with the current demand for sexual assault kit evidence testing.

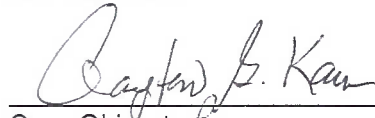
We appreciate the committee's consideration of these comments.

Sincerely,



Wayne Kimoto, Director
Scientific Investigation Section

APPROVED:



Cary Okimoto
Acting Chief of Police