

SENATOR STEPHANIE KUNZE
16th District



STATE HOUSE ROOM 128
1 CAPITOL SQUARE
COLUMBUS, OH 43215
614-466-5981
KUNZE@OHIOSENATE.GOV

Senate Bill 323
Sponsor testimony
November 13, 2018
Senate Judiciary Committee

Chairman Bacon, Vice Chair Dolan, Ranking Member Thomas and members of the Ohio Senate Judiciary Committee. Thank you for allowing me to present sponsor testimony on Senate Bill 323, legislation that if enacted into law would require the Attorney General to create and maintain a statewide tracking system for the processing of sexual assault examination kits.

In August, Ohio Attorney General Mike DeWine announced that his office was developing a statewide system to increase transparency surrounding the collection, submission, and analysis of sexual assault kit evidence in Ohio. The "Ohio Attorney General's Sexual Assault Kit Tracking System" will give those who have undergone a sexual assault forensic examination the option to anonymously track the status of their rape kit evidence online. By entering a barcode number into the free, online program, survivors who choose to use the system will be able to follow their evidence as it proceeds from collection at a medical facility, to inventory at a law enforcement agency, to analysis at a crime lab, and to storage or destruction.

Senate Bill 323 and its House companion legislation House Bill 719 sponsored by Representative Dorothy Pelandia, seeks to require all agencies involved in the chain-of-custody of sexual assault kits to participate in the tracking program. This statewide system is being paid for by funds identified by the Ohio Attorney General's office and will not require monies to be allocated by the Ohio General Assembly. This legislation would:

attorney general duties:

1. Develop recommendations for establishing a statewide sexual assault examination kit tracking system;
2. Based on the recommendations, that will be made in consultation with the attorney general's advisory group on sexual assault examination kit tracking, the attorney general shall create, operate and maintain the statewide tracking system;

3. Permit the attorney general to contract with state or private entities for the creation, operation and maintenance of the statewide tracking system.

The statewide tracking system will:

1. Track the status of sexual assault examination kits from the collection site through the criminal justice process, including the initial collection at medical facilities, inventory and storage by law enforcement agencies, analysis at crime laboratories and storage or destruction after completion of analysis;
2. Allow all entities that receive, maintain, store or preserve sexual assault examination kits to update the status and location of the kits;
3. Allow individuals to anonymously access the statewide tracking system regarding the location and status of their sexual assault examination kit.

Implementation of Senate Bill 323:

1. No later than one year after creation of the statewide tracking system, all entities in the chain of custody of sexual assault examination kits shall participate;
2. The attorney general may adopt rules under Chapter 119 of the Revised Code to help in the implementation of the statewide system ;
3. Stipulates that the information contained in the statewide tracking system is confidential and not subject to public disclosure to fully protect the privacy and identity of the victim.

As we continue to help and encourage victims of sexual assault to rebuild their lives, it is imperative that we provide them the ability to check the status of the testing of their rape kits quietly and discreetly. Affording them the opportunity to do so in a safe, secure manner ensures their privacy. We can allow survivors to continue moving forward with the option to check on the progress to help with the emotional healing and journey to moving forward from their horrific experience.

Chairman Bacon and members of the Ohio Senate Judiciary Committee. Thank you for allowing me to present sponsor testimony on Senate Bill 323. I am happy to answer any questions that the committee might have.