

Honolulu, Hawaii

MAR 29 2017

RE: S.R. No. 44

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 S.R. No. 44 entitled:

"SENATE 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 Community Alliance on Prisons and Planned Parenthood Votes Northwest and Hawaii. Your Committee received comments on this measure from the Honolulu Police Department.

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. A 2016 inventory of all four county police departments showed that barely ten percent of all sexual assault evidence collection kits collected in the State since 1992 had been tested. 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.

Your Committee notes the testimony of the Honolulu Police Department regarding funding for the testing of sexual assault collection kits. New sexual assault collection kits would not be covered by the 2016 National Sexual Assault Kit Initiative (SAKI) grant. Therefore, it may be necessary to appropriate funds for the testing of new sexual assault evidence collection kits. Your Committee suggests that your Committees on Judiciary and Labor and Ways and Means inquire further into this issue of funding should they hear this resolution.

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 S.R. No. 44 and recommends that it be referred to your Committees on Judiciary and Labor and Ways and Means.



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

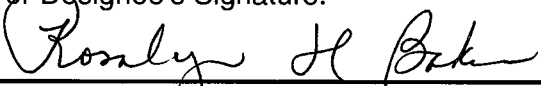


CLARENCE K. NISHIHARA, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

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

Bill / Resolution No.:* SR 44	Committee Referral: PSM, JDL / WAM	Date: 3-28-17		
<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.	✓			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes