A BILL FOR AN ACT

RELATING TO SEXUAL ASSAULT EVIDENCE COLLECTION KITS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAI'I:

SECTION 1. The legislature finds that electronic tracking systems may keep victims of sexual assaults informed of the status of the sexual assault evidence collected by law enforcement. In an effort to ensure that these victims are notified of their rights under the law, the legislature enacted Act 113, Session Laws of Hawaii 2018 (Act 113). Among other things, Act 113 requires each county police department to establish an electronic tracking system for sexual assault evidence collection kits no later than January 1, 2020. The legislature notes that the county police departments, in coordination with the Hawaii sexual assault kit initiative, have been working with the Portland police department to implement the sexual assault management system, or SAMS, a tracking system developed by the Portland police department. However, the legislature recognizes that due to various operational and technical issues, the police departments were unable to implements SAMS by January 1, 2020. Because of the difficulties
in the implementation of SAMS, the police departments are now working with the department of the attorney general and the Portland police department to utilize SAMS-Track, a simplified version of SAMS that may not have the same implementation issues, and may be established as a single statewide system, rather than four independent county systems. Therefore, the legislature believes that an extension of the January 1, 2020, deadline is necessary.

Accordingly, the purpose of this Act is to extend the deadline for each county police department to adopt and utilize an electronic tracking system for sexual assault evidence collection kits.

SECTION 2. Section 844G-6, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) No later than [January 1, 2020] January 1, 2021, each county shall [establish] adopt and utilize an electronic tracking system for sexual assault evidence collection kits. At a minimum, each system shall:

(1) Track the status of sexual assault evidence collection kits from the specimen collection site to final storage or disposal, including but not limited to the
initial collection, inventory, and storage by law
enforcement agencies or accredited and approved DNA
laboratories; analysis at accredited and approved DNA
laboratories; and storage or disposal after completion
of analysis;

(2) Allow all entities, approved by the department, that
collect, receive, maintain, store, or preserve sexual
assault evidence collection kits to update the status
and location of the kits; and

(3) Allow victims of sexual assault to access the system
for the location and status of their respective sexual
assault evidence collection kits."

SECTION 3. Statutory material to be repealed is bracketed
and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:
Report Title:
Sexual Assault Evidence Collection Kits; Tracking System; Counties

Description:
Extends the deadline for each county police department to adopt and utilize an electronic tracking system for sexual assault evidence collection kits.

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