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Testimony in Support of House Bill 2228
An act concerning sexual assault evidence kits; relating to the
submission of kits by law enforcement agencies

By Michelle McCormick, Director of Victim Services

February 15, 2021

Chairman Patton and Members of the Committee:

My name is Michelle McCormick and I am the director of the victim services division for Kansas Attorney General Derek Schmidt. On behalf of Attorney General Schmidt, I want to thank you for the opportunity to offer this testimony in support of House Bill 2228.

The Office of the Attorney General was one of several partners who participated in the Kansas Sexual Assault Kit Initiative (SAKI). The initiative began in 2014, and in 2017 Kansas became the first state to complete a statewide inventory of sexual assault kits with 100% voluntary law enforcement participation. More than 2,200 kits that had not been submitted to a laboratory, and therefore were not tested, were discovered. Since then, each of the kits associated with the SAKI project were submitted to the KBI Forensic Science Laboratory where forensic scientists worked diligently to complete initial testing of each of the kits.

SAKI partners then thoroughly scrutinized why the kits accumulated in law enforcement property rooms over the years, and it was determined they remained unsubmitted for varying reasons. The SAKI project guided the criminal justice community in recognizing the value of testing all kits, which increases the chances of linking cases and identifying serial offenders. Advances in science and technology can be leveraged to the benefit of these investigations more today than ever before, and preserving this evidence could create the best chance to prevent subsequent sexual assaults.

The collaborative work of the partners in the Sexual Assault Kit Initiative eliminated the backlog of untested sexual assault kits by causing all to be identified, submitted and tested. This legislation, if enacted, will put in place a system to prevent the backlog from happening again. HB 2228 would ensure proper policy is adopted and that any sexual assault kit (SAK) connected to the report of a sexual assault is submitted within 30 business

days to one of three Kansas forensic laboratories, or to another accredited forensic laboratory, for testing.

Our office, as well as professionals from law enforcement, County and District attorney's offices, victim advocates, laboratory professionals, and medical personnel have continued the collaboration started in SAKI through the work of the Kansas Sexual Assault Response Advisory Council (KSARAC). KSARAC is a statewide committee comprised of multi-disciplinary experts who will facilitate cross-discipline collaboration and inform the development of model policies, protocols, and practices for trauma-informed responses to sexual assault in Kansas. The work of KSARAC is critical as we continue down the path of enhanced identification of sexual offenders, accountability for their offenses, preventing additional victimization and gaining justice for the victims who have been impacted by sexual violence.

The Office of the Attorney General encourages the passage of HB 2228, as an important step forward to creating a safer Kansas for all.

Thank you again for your consideration of House Bill 2228.

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