



Kansas County & District Attorneys Association

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To: House Judiciary Committee

From: Steve Howe, Johnson County District Attorney
Barry Wilkerson, Riley County Attorney

Re: House Bill 2228

Date: February 15, 2021

Chairman Patton and members of the Committee, thank you for the opportunity to provide remarks on behalf of the Kansas County and District Attorney's Association. The KCDAAs supports HB 2228 – a measure to require all law enforcement agencies to have a policy stating that all sexual assault kits that correspond to a law enforcement report of sexual assault be submitted to a forensic laboratory within 30 days and requiring that such kits be examined by the laboratory.

This measure is very important for victims and law enforcement. Sexual assault kits have proven to be a valuable tool in finding offenders and bringing them to justice. This measure ensures that the results of these examinations will be uploaded into CODIS, potentially leading to matches of serial offenders. This information is available to law enforcement across the country and is helping in identifying perpetrators of assault.

The SAKI project identified 2,200+ sexual assault kits resulting in 907 suspects identified with a trackable criminal history. A total of 7,302 sexual and other violent offenses were identified in these suspects' criminal histories through the SAKI project.

Ninety-three percent of these suspects had a criminal history of other violent offenses, including homicide and forty-two percent had a criminal history of additional sexual offenses, including rape, indecent liberties with a minor, sexual battery/assault, and sodomy. These sexual assault kits would have never been tested had it not been for the Kansas SAKI project and the KBI requesting Kansas law enforcement agencies submit them to the lab for testing.

With no statute of limitations on rape, the destruction of unreported kits after five years makes it very difficult for those of us responsible for prosecuting these cases to pursue reports from victims once the kit is destroyed. Evidence is lost. Victims do not see justice served. Offenders may still be on the street tragically committing more assaults.

Child advocacy centers (CACs) are a safe place for evidence to be collected. According to the bill these centers must be recognized by the national children's alliance and in Kansas they are defined by KSA 38-2227. Prosecutors and law enforcement agencies from across the state work with these CACs frequently and have great respect for the work they do for victims.

Thank you for considering our remarks. Please join us in supporting this important public safety initiative.