

117TH CONGRESS  
2D SESSION

# H. RES. 1492

Expressing the sense of the House of Representatives regarding the need for State legislatures to pass comprehensive sexual assault kit reforms.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 22, 2022

Mr. JOYCE of Ohio (for himself, Mr. KATKO, Ms. KUSTER, and Ms. SPEIER) submitted the following resolution; which was referred to the Committee on the Judiciary

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## RESOLUTION

Expressing the sense of the House of Representatives regarding the need for State legislatures to pass comprehensive sexual assault kit reforms.

Whereas survivors of sexual assault may undergo an hours-long sexual assault forensic exam to preserve DNA evidence;

Whereas many sexual assault kits across the country remain untested;

Whereas untested sexual assault kits represent individuals who have been denied the opportunity to seek justice and begin healing;

Whereas testing sexual assault kits may help law enforcement officials identify repeat offenders and serial rapists;

Whereas the testing of 11,341 sexual assault kits in Detroit has resulted in 2,616 DNA matches, the identification of more than 841 suspected serial rapists, and 239 convictions, and the DNA samples from the kits tested in Detroit are linked to other violent crimes committed in 40 States and the District of Columbia;

Whereas ending the sexual assault kit backlog requires the commitment of Federal, State, and local governments and their partners; and

Whereas, in 2021, the Begun Center for Violence Prevention Research and Education at Case Western Reserve University and the Criminology Research Center at Cleveland State University, in partnership with the Sexual Assault Kit Task Force at Cuyahoga County Prosecutor's Office, analyzed the cost of testing backlogged sexual assault kits in Cuyahoga County, Ohio, and found that each kit tested produces an estimated net savings to the community of \$5,127, producing a total cost savings of \$26,480,000: Now, therefore, be it

1       *Resolved*, That it is the sense of the House of Rep-  
2       resentatives that State legislatures should pass sexual as-  
3       sault kit reform legislation that requires—

4               (1) the State to establish collaborations with  
5       State and local sexual assault advocates, sexual as-  
6       sault nurse examiners, law enforcement officers, and  
7       others to ensure that—

8               (A) a sexual assault advocate is made  
9       available to sexual assault survivors upon a re-  
10      port to law enforcement, during a sexual as-

1           sault forensic exam, and for ongoing support  
2           and services;

3           (B) sexual assault survivors are notified of  
4           their rights and kit results in a trauma-in-  
5           formed manner, in collaboration with sexual as-  
6           sault advocates; and

7           (C) policies and procedures pertaining to  
8           sexual assault kit examinations, testing, and no-  
9           tification are victim-centered and developed col-  
10          laboratively across victim advocacy, medical,  
11          law enforcement, and other sexual assault re-  
12          sponse team partners;

13          (2) the State to conduct an annual statewide  
14          audit to inventory all untested sexual assault evi-  
15          dence kits with the goal of understanding the scope  
16          of the problem and to monitor progress in elimi-  
17          nating the backlog of previously unsubmitted and  
18          untested kits;

19          (3) law enforcement agencies to submit all pre-  
20          viously untested sexual assault kits to a laboratory  
21          and mandates that the laboratory test these kits for  
22          DNA within a specific timeframe and upload the re-  
23          sults into appropriate State and Federal databases;

24          (4) law enforcement agencies to promptly sub-  
25          mit all newly collected kits that have been released

1 for testing to the laboratory and mandates that the  
2 laboratory test these kits for DNA within a specific  
3 timeframe and upload the results into appropriate  
4 State and Federal databases;

5 (5) the State to develop a sexual assault kit  
6 tracking system that includes a mechanism for sur-  
7 vivors to check the status of their kits through the  
8 process, from collection to analysis, and ensure that  
9 hospitals, law enforcement, and laboratories are  
10 using the same system to track sexual assault kits;

11 (6) the State ensure that victims have the legal  
12 right to know the status and location of their sexual  
13 assault kits and their case; and

14 (7) the State to contribute appropriate and sus-  
15 tainable funding to address issues related to the  
16 unsubmitted and untested sexual assault kit backlog,  
17 including trauma-informed support services for sur-  
18 vivors.

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