

Alaska Women's Lobby

Defending and advancing the rights and needs of women, children and families in Alaska since 1981

HB 31: Sexual Assault Examination Kits

January 2017

The Alaska Women's Lobby, with steering committees in Fairbanks and Juneau as well as members across the state, supports the sexual assault response team (SART) process for handling sexual assault cases reported to law enforcement. SARTs integrate the investigative, medical and advocacy processes in a sexual assault response into a seamless system so that victims of these heinous crimes are not further traumatized when reporting what has happened to them.

An integral part of SART is that of gathering physical evidence through the use of a sexual assault examination kit. Kits are toolboxes of evidence gathering procedures and materials the use of which allow for consistent collection of evidence regardless of where the crime took place.

Whether a victim reports to law enforcement, goes to an emergency department of a hospital or goes to a clinic, or whether he or she calls an advocacy crisis line, in communities with trained SARTs, the team is called together. Options are explained to the person reporting so an informed decision can be made about next steps, if any, in the reporting process. If the person would like evidence of the assault to be gathered and preserved, then a sexual assault exam kit will be used.

One of the devastating effects of a sexual assault is the loss of control one feels and it takes time to work through that feeling. Respecting the rights of the person who has been assaulted, including decision-making about what happens from the point of the assault forward, is critical to healing. Some people want evidence gathered; some people want a medical exam to ensure injuries are treated; some people want both; and, some people don't want either.

If a kit is used, some people are comfortable with it being tested immediately so the evidence may help in furthering the investigation and some people want the evidence gathered but are not ready to take the next steps with the criminal justice system so only want the kit used but not processed. Some people want to remain anonymous but are willing to have the evidence processed.

As can be surmised, the variables to be considered in ensuring all kits are treated in the appropriate manner make for a complex solution. A cohesive tracking system managed by the Department of Public Safety for these kits, some used and held for future processing; some used and processed for current investigations; some used with a known victim and some used with anonymous victims; is a good measure to take in assuring justice for each person who chooses to have an exam whatever the choices surrounding the use of the kits are.

PO Box 20891, Juneau, AK 99802 * akwomenslobby@gmail.com