

ALASKA STATE LEGISLATURE



REPRESENTATIVE GERAN TARR

House Bill 20

"An Act relating to sexual assault; relating to the definitions of 'without consent' and consent'; relating to failure to report a violent crime; relating to sexual misconduct under the code of military justice; requiring law enforcement agencies to test sexual assault examination kits; requiring notification of completion of testing; relating to reports on untested sexual assault examination kits; and providing for an effective date."

Sponsor Statement

Alaska's sexual crime rates are three times higher than the national average, and child sexual assault rates are six times the national average. Strengthening and clarifying our language around sexual assault and requiring a timely move towards justice is a moving in the right direction.

To support victims of sexual assault, House Bill 20 does several things:

- House Bill 20 seeks to clarify the definitions of consent and non-consent in cases of sexual assault in the first, second, and third degrees by including language that includes when an offender engages in behaviors that should be reasonably known to violate a person.
- HB20 would help prevent a backlog of untested sexual assault examination kits or rape kits, by requiring law enforcement to deliver sexual assault kits to a laboratory within 30 days and testing is done within six months.
- HB20 requires that two weeks after the completion of the testing, the victim is notified that the kit has been tested. Thereby lessening the burden of waiting on unknown timelines for the process to gain closure for victims.
- HB20 also requires the yearly reporting of the backlog of sexual assault kits to include more detail about the numbers of kits that are going untested and the reasons why that might be.

According to a Fall 2018 report from the Alaska Department of Public Safety, to the Alaska Legislature, there is a backlog of 2,568 untested rape kits. With the passage of this bill, rape kits would no longer go untested and be forgotten but be accounted for in every case with greater accountability and timeliness.

In many cases, rape kits are evidence of heinous crimes. Every day a sexual assault kit goes untested is another day that a predator is on the streets endangering us all. A shorter timeline of collection of evidence to processing kits will hasten the justice for the victim.