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January 21, 2020

Honorable Representative Matt Claman
Chair of the House Judiciary Committee
State Capitol Room 118
Juneau AK, 99801

Dear Representative Claman,

The Joyful Heart Foundation strongly supports House Bill 182, which would ensure the swift testing of rape kits, take dangerous offenders off the street, and bring justice to survivors. To date, 30 states and Washington, D.C. have required rape kits to be tested expeditiously. With H.B. 182, Alaska is poised to join these states in addressing problems with rape kit processing timelines.

Every 92 seconds, someone is sexually assaulted in the United States. In the immediate aftermath, a victim may choose to undergo a medical forensic examination—which can take four to six hours—to collect DNA evidence left behind by the attacker in what is commonly called a rape kit. When tested, this evidence can identify an unknown assailant, reveal serial offenders, and exonerate the wrongfully convicted. Too often, however, rape kits are left untested on evidence room shelves.

The Alaskan legislature has taken tremendous steps in the past few years to improve rape kit handling. Following a 2017 law, the Department of Public Safety identified 3,484 unsubmitted kits in November 2017, which fell to 2,568 in 2018 due to testing of the backlog. The state budget appropriated \$2.75 million to process and store rape kits in 2018. The same year, legislators enacted a law requiring an annual inventory of untested rape kits and law enforcement training in sexual assault. Passed in 2019, H.B.49 requires law enforcement agencies to submit kits to a laboratory for DNA analysis within 30 days of receipt, and the laboratory to test the kit within one year. However, one year for testing a rape kit is too long of a time frame. It leaves criminals free on the streets for a longer period of time, risking future crime and making victims wait for answers and a path to justice.

H.B. 182 would require the lab to test newly submitted kits within six months. A shorter timeline would ensure that newly collected rape kits are handled swiftly across the state, preventing crime. By testing every kit connected to a reported crime, more DNA profiles will be in local, state and national databases, potentially revealing serial rapists. In December 2000, a woman waiting for her bus was raped by Eric Eugene Wilkes in Detroit. Her rape kit was shelved. Four months later, another rape kit was shelved with the same assailant. The third kit was collected three days later. Like the first one, these two kits were left untested, leaving Wilkes free on the streets. After Wayne County started testing 11,341 backlogged rape kits in 2009, Wilkes' DNA was found in 11 violent rape cases, spanning between 2000 and 2012. Had the investigators sent the first kit to testing, Wilkes' DNA would be in local and national databases. The second kit would show a match in the database, leading to his identification earlier and preventing later rapes. This case shows the importance of speedy testing and how it can prevent additional crimes.

By mandating shorter testing deadlines, H.B.182 is a critical step toward comprehensive rape kit reform in Alaska. Moreover, testing every rape kit quickly sends a message to survivors that they—and their cases—matter and to perpetrators that we will use every tool to bring them to accountability in the shortest time possible.

We urge you to enact this important legislation. The Joyful Heart Foundation thanks you for your efforts on this issue. We stand ready to assist you in creating safer communities and offering a path to healing and justice to all sexual assault survivors in Alaska.

Sincerely,

Ilse Knecht

A handwritten signature in cursive script that reads "Ilse Knecht". The signature is fluid and elegant, with the first letters of "Ilse" and "Knecht" being capitalized and prominent.

Director, Policy and Advocacy
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