

2015 -- H 5628

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO CRIMINAL OFFENSES - SEXUAL ASSAULT- STATEWIDE  
ACCOUNTING OF UNSUBMITTED RAPE KITS

Introduced By: Representatives Williams, Filippi, Kazarian, Serpa, and Tanzi

Date Introduced: February 25, 2015

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 11-37 of the General Laws entitled "Sexual Assault" is hereby  
2 amended by adding thereto the following section:

3 **11-37-18. Statewide accounting of unsubmitted rape kits. -- (a) Definitions. – The**  
4 **following words and phrases, when used in this section, have the following meanings:**

5 (1) "Forensic medical examination" means an examination provided to the victim of a  
6 sexually-oriented criminal offense by a healthcare provider for the purpose of gathering and  
7 preserving evidence of a sexual assault for use in a court of law;

8 (2) "Sexual assault collection kit" means a human biological specimen or specimens  
9 collected by a healthcare provider during a forensic medical examination from the victim of a  
10 sexually-oriented criminal offense; and

11 (3) "Untested sexual assault collection kit" means a sexual assault collection kit that has  
12 not been submitted to the state crime laboratory or a similar qualified laboratory for either a  
13 serology or deoxyribonucleic acid (DNA) test.

14 (b) By May 1, 2015 all law enforcement agencies and departments charged with, or  
15 engaging in, the maintenance, storage and preservation of sexual assault collection kits shall  
16 conduct an inventory of all such kits being stored by the agency or department.

17 (c) By August 1, 2015 each law enforcement agency shall compile and prepare, in  
18 writing, a report containing the number of untested sexual assault collection kits in the possession

1 of the agency or department and the date the sexual assault kit was collected. The report shall be  
2 transmitted to the attorney general of the state of Rhode Island.

3 (d) By January 1, 2016 the attorney general of the state of Rhode Island shall prepare and  
4 transmit a report to the president of the senate and the speaker of the house of representatives  
5 identifying and describing the number of untested sexual assault collection kits being stored by  
6 each municipality, by each law enforcement agency or department, the date each untested kit was  
7 collected, and a plan for addressing any backlog of untested kits.

8 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO CRIMINAL OFFENSES - SEXUAL ASSAULT- STATEWIDE  
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1           This act would compel law enforcement agencies to provide to the attorney general a  
2 report identifying and describing any untested sexual assault collection kits, and would require  
3 the attorney general to submit to the president of the senate and the speaker of the house of  
4 representatives a plan for addressing any backlog of such kits.

5           This act would take effect upon passage.

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