



## SB 1600 (statute of limitations) Exonerating evidence that degrades over time

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The following is a list of tangible items that have proven a sex assault allegation to be false or non-credible. These cases resulted in non-prosecution of charges, dismissal of charges, or acquittal at trial by court or by jury. These documents are inevitably destroyed, erased, lost, mislaid or degrade with the passage of time.

**Text messages; Instagram; Facebook; other social media** ~ Statements made by purported victim shortly after a sexual encounter that directly contradicts a later accusation of non-consensual sexual activity.

**Cell phone records:** Leads to witnesses who heard the alleged victim's report of the sexual encounter shortly after its occurrence.

**Security video footage:** Bars, hotels, entryways to apartments, ATM withdrawals may show that an encounter was consensual as opposed to hostile.

**Hotel business records:** Can corroborate claim of consensual sexual encounter; in some instances, the existence of a long-time covert sexual affair.

**Credit card receipts:** Establishes location, time lines, leads to witnesses who can refute nature of the encounter as being hostile.

**Emails:** Actual words and exchanges between defendant and alleged victim.

**School records/ photographs:** Establishes attendance records, activities, time-lines.

**Letters, notes, artifacts of affection:** Example: Valentine card refuting allegation of hostile encounter.

**Diaries:** Statements of either or both individuals.

**Other tangible items:** The number and nature of additional tangible "things" is endless.

**In addition to the benefit of these tangible items as evidence of themselves, each item can lead to the discovery of exculpatory witnesses. Example: credit card records can lead to hotel clerk who remembers complainant and accused renting a room together on more than one occasion.**

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