

SB 960 A STAFF MEASURE SUMMARY

Carrier: Sen. Thatcher

Senate Committee On Judiciary

Action Date: 04/13/17

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 5-0-0-0

Yeas: 5 - Dembrow, Linthicum, Manning Jr, Prozanski, Thatcher

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Josh Nasbe, Counsel

WHAT THE MEASURE DOES:

Modifies requirements of law enforcement policy applicable to sexual assault forensic evidence kits. Requires policy to include provision reclassifying kit as "nonanonymous," when victim who did not previously participate in creation of sexual assault report subsequently participates in creation of report. Directs law enforcement agency to submit kit to State Police within 14 days of reclassification.

ISSUES DISCUSSED:

- Joint Interim Task Force on Testing of Sexual Assault Forensic Evidence Kits

EFFECT OF AMENDMENT:

Requires law enforcement agency to submit kit for testing within 14 days of reclassification.

BACKGROUND:

In 2016, the Legislative Assembly required law enforcement agencies to adopt policies and procedures concerning the collection, submission for testing, retention and destruction of sexual assault forensic evidence kits. See Chapter 89, Oregon Laws 2016. In instances where a victim did not choose to participate in prosecuting the assailant, the legislation classified these kits as "anonymous kits" while prohibiting law enforcement agencies from submitting anonymous kits to the Oregon State Police for testing. Senate Bill 960-A provides that law enforcement policies must require that a kit be classified as nonanonymous when a victim who did not previously participate in the creation of a report of sexual assault subsequently participates in the creation of a report. The bill also requires the law enforcement agency to submit the kit for testing to the Oregon State Police within 14 days of the reclassification.