

Senate Bill 907

Sponsored by Senator BOQUIST (at the request of Katie Noyd)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs Task Force on the Testing of Sexual Assault Forensic Evidence Kits to submit updated report to interim committee of Legislative Assembly related to judiciary no later than December 1, 2020. Provides that members of task force serve as volunteers.

Extends task force sunset to June 30, 2021.

A BILL FOR AN ACT

1
2 Relating to sexual assault forensic evidence kit testing; amending sections 7 and 8, chapter 89,
3 Oregon Laws 2016.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** Section 7, chapter 89, Oregon Laws 2016, is amended to read:

6 **Sec. 7.** (1) The Task Force on the Testing of Sexual Assault Forensic Evidence Kits is estab-
7 lished.

8 (2) The task force consists of 16 members appointed as follows:

9 (a) The President of the Senate, in consultation with the Senate Minority Leader, shall appoint
10 two nonvoting members from among members of the Senate. The two members appointed under this
11 paragraph may not be from the same political party.

12 (b) The Speaker of the House of Representatives, in consultation with the House Minority
13 Leader, shall appoint two nonvoting members from among members of the House of Representatives.
14 The two members appointed under this paragraph may not be from the same political party.

15 (c) The Governor shall appoint 12 members as follows:

16 (A) The coordinator of the Attorney General's Sexual Assault Task Force.

17 (B) Two survivors of sexual assault with experience with the sexual assault forensic evidence
18 kit collection.

19 (C) A sexual assault nurse examiner.

20 (D) A person designated by the Superintendent of State Police who has expertise in the analysis
21 of sexual assault forensic evidence kits.

22 (E) A person with experience seeking and applying for grants and other private funding.

23 (F) A person representing law enforcement agencies located in rural jurisdictions.

24 (G) A person representing law enforcement agencies located in urban jurisdictions.

25 (H) A person representing the Oregon Association Chiefs of Police.

26 (I) An attorney with experience prosecuting crimes.

27 (J) An attorney with experience in criminal defense.

28 (K) A sexual assault victims' advocate from a community-based organization.

29 (3) The task force shall:

30 (a) Examine the process for gathering and analyzing sexual assault forensic evidence kits in this

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 state;

2 (b) Examine and identify improvements for law enforcement training on responding to and in-
3 vestigating sexual assaults;

4 (c) Examine and identify improvements for victim access to evidence other than sexual assault
5 forensic evidence kits, including but not limited to police reports and other physical evidence;

6 (d) Examine and identify possible procedures for the testing of anonymous kits;

7 (e) Examine and identify additional rights of victims concerning the sexual assault forensic evi-
8 dence kit testing process; and

9 (f) Identify and pursue grants and other funding sources in order to eliminate the backlog of
10 untested sexual assault forensic evidence kits, reduce testing wait times, provide victim notification
11 and improve efficiencies in the kit testing process.

12 (4) A majority of the voting members of the task force constitutes a quorum for the transaction
13 of business.

14 (5) Official action by the task force requires the approval of a majority of the voting members
15 of the task force.

16 (6) The task force shall elect one of its members to serve as chairperson.

17 (7) If there is a vacancy for any cause, the appointing authority shall make an appointment to
18 become immediately effective.

19 (8) The task force shall meet at times and places specified by the call of the chairperson or of
20 a majority of the voting members of the task force.

21 (9) The task force may adopt rules necessary for the operation of the task force.

22 (10)(a) The task force shall *[complete]* **perform** the duties described in subsection (3) of this
23 section no later than July 31, 2018, **and shall perform any of the duties necessary to complete**
24 **the updated report described in paragraph (b) of this subsection no later than July 31, 2020.**

25 (b) The task force shall submit, in the manner provided by ORS 192.245, a **preliminary** report
26 that includes recommendations for legislation to an interim committee of the Legislative Assembly
27 related to the judiciary no later than December 1, 2018, **and shall submit an updated report in**
28 **the same manner no later than December 1, 2020.**

29 (11) The *[Committee Services office of the Legislative Assembly]* **Legislative Policy and Research**
30 **Director** shall provide staff support to the task force.

31 (12) *[Members of the task force who are not members of the Legislative Assembly are not entitled*
32 *to compensation, but may be reimbursed for actual and necessary travel and other expenses incurred*
33 *by them in the performance of their official duties in the manner and amounts provided for in ORS*
34 *292.495. Claims for expenses incurred in performing functions of the task force shall be paid out of*
35 *funds appropriated to the Committee Services office of the Legislative Assembly for purposes of the task*
36 *force.]* **Notwithstanding ORS 171.072, members of the task force who are members of the**
37 **Legislative Assembly are not entitled to mileage expenses or a per diem and serve as volun-**
38 **teers on the task force. Other members of the task force are not entitled to compensation**
39 **or reimbursement for expenses and serve as volunteers on the task force.**

40 (13) All agencies of state government, as defined in ORS 174.111, are directed to assist the task
41 force in the performance of the task force's duties and, to the extent permitted by laws relating to
42 confidentiality, to furnish information and advice the members of the task force consider necessary
43 to perform their duties.

44 **SECTION 2.** Section 8, chapter 89, Oregon Laws 2016, is amended to read:

45 **Sec. 8.** Section 7, **chapter 89, Oregon Laws 2016**, *[of this 2016 Act]* is repealed on June 30,

1 [2019] **2021.**

2