



STATE OF MICHIGAN  
**Department of  
Human  
Services**

**Memo**

**Michigan Domestic &  
Sexual Violence Prevention &  
Treatment Board**  
235 S. Grand Avenue, Suite 506  
Lansing, MI 48933



[www.michigan.gov/domesticviolence](http://www.michigan.gov/domesticviolence)

Phone: (517) 335-6388  
Fax: (517) 241-8903

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**To:** Senate Judiciary Committee Members  
**From:** Lore A. Rogers, Staff attorney, Michigan Domestic and Sexual Violence  
Prevention and Treatment Board  
**Date:** August 13, 2014  
**Re:** SB 998 (Sexual Assault Evidence Kit Tracking)

I am Lore Rogers, a staff attorney for the State of Michigan Domestic & Sexual Violence Prevention and Treatment Board (“MDSVPTB”). Thank you for the opportunity to speak to you briefly regarding Senate Bill 998, which would establish a state commission to recommend options for the auditing and tracking of sexual assault forensic examination kits. The Board approved the concept of this bill at its June board meeting, before the specific language before you was drafted, and MDSVPTB staff members participated in the multi-disciplinary workgroup that crafted the language of the bill.

The Board believes that the Commission this bill creates will improve the criminal justice system response to sexual assault by enabling law enforcement agencies to track sexual assault forensic evidence kits, ensuring that they are timely and properly submitted for testing after release for that purpose. Tracking these kits is an important way to prevent the accumulation of untested kits that has occurred in the past in several jurisdictions in the State.

The bill also will provide sexual assault victims with the ability to access information electronically about the status of the kit evidence collected from their bodies, while safeguarding confidentiality and limiting disclosure of this sensitive information. Sexual assault victims too often have been unable to find out what was happening with their case, including whether or not the kit was even submitted for testing. Giving victims the option of tracking their own sexual assault kits helps to restore some of the autonomy and control that was ripped away from them by the assault, and it allows them to stay informed as and when they choose. Tracking kits in a manner that preserves confidentiality and limits disclosure means that sexual assault victims will not be forced to choose between privacy and having a sexual assault forensic kit performed.

The Board also approves of the way in which SB 998 will bring together representatives from multiple disciplines to accomplish work of the Commission. It is critical to the success of these efforts that there be input from those who will be affected and those who will be responsible for meeting the requirements of the plans developed as a result of this legislation. Forensic nurses, health care providers, law enforcement, victim advocacy, prosecutors, and crime victim services staff, all have expertise and insight into what will work, what won't work, and what changes can best serve the interests of justice as a whole and the interests of individual victims. Working

together, these representatives of diverse viewpoints can create a better plan than could be created by any single one of them working independently.

Members of the Board are looking forward to reviewing the specifics of this bill at their September Board meeting. The Board is grateful to Senators Jones and Johnson and to this committee for their demonstrated commitment to improving the ways in which the criminal justice system responds to the crime of sexual assault.