



NEW YORK STATE SENATOR

Kemp Hannon

HANNON ANNOUNCES RAPE KIT LEGISLATION PASSED IN THE BUDGET

KEMP HANNON April 9, 2018

| ISSUE: **RAPE KITS, SEXUAL ASSAULT SURVIVORS**

Senator Kemp Hannon, Chair of the State Senate Health Committee, today announced the passage of legislation in the FY 2019 Budget aimed at further addressing how rape kits are handled. The legislation builds upon new laws Senator Hannon has championed over the last few years to advance the rights of sexual assault victims.

“This legislation ensures that sexual assault survivors have the time they need to heal and decide if they want to pursue justice through the criminal justice system,” explained Senator Kemp Hannon. “In 2016, I passed legislation to ensure that New York State is testing all rape kits, no matter how old. This year’s budget builds on that legislation and includes other important protections. I will continue to advocate for sexual assault survivors to ensure that they get the best treatment possible and are not re-victimized by the system.”

The legislation extends the length of time unreported rape kits are maintained from 30 days to 20 years to allow victims more time to decide to have their kits tested. It also ensures hospitals are not inappropriately charging victims for sexual assault forensic examinations. In addition, funding was provided to create a Sexual Assault Forensic Examination (SAFE) telehealth program, allowing hospitals without SAFE certified staff to access them during sexual assault examinations and evidence collection.

Assemblymember Aravella Simotas said, “I am deeply gratified that this year’s state budget included provisions we fought for to preserve rape kits for 20 years and to create a tracking system so sexual assault survivors are notified where their kits are stored and when the 20-year storage period is about to expire. Compassion must always be paramount in the law enforcement response to sexual assault victims. No sexual assault survivor should ever be told that a prosecution is not possible because a rape kit was disposed of prematurely. Preserving rape kits is the right thing to do and it will help lock up dangerous criminals.”

Ilse Knecht, Policy & Advocacy Director for the Joyful Heart Foundation, stated, “We applaud Senator Hannon, Assemblywoman Simotas, and Governor Cuomo for their commitment to extending access to justice to all sexual assault survivors. By ensuring that all sexual offense evidence will be maintained for 20 years, and survivors are given advance notice before their kit is destroyed, survivors can now take the time they need to decide whether or not to have their kits tested and participate in the criminal justice process. This move takes New York from having one of the shortest evidence retention statutes in the country to full compliance with federal best practices for handling sexual offense evidence. We look forward to continuing our work with Senator Hannon and Assemblywoman Simotas to enact meaningful changes in the way rape kits are handled and processed and to strengthen survivors' rights in New York.”

Abby Haglage, a sexual assault survivor and member of Rise, stated, “My right to pursue justice was stolen the day my rape kit was destroyed. In New York—thanks to Senator Hannon's thoughtful leadership—that narrative ends today. No survivor should have to endure the fate I did; now, they will not have to. In February, I said New York could do better. Today, it has. On behalf of the 6.8 million sexual assault survivors in New York, I want to thank Senator Hannon for refusing to tolerate injustice, and working to ensure our rights are protected. It is rare that survivors' voices are heard, but when they are, we all get

one step closer to justice. In a tumultuous time like this one, it's comforting to know that democracy still works.”

This legislation is effective immediately.