

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 446 Session of
2015

INTRODUCED BY MENSCH, FONTANA, BOSCOLA, BREWSTER, SCHWANK,
HUGHES, COSTA, RAFFERTY, WILEY, ARGALL, AUMENT, BROWNE AND
EICHELBARGER, OCTOBER 13, 2016

REFERRED TO LAW AND JUSTICE, OCTOBER 13, 2016

A RESOLUTION

1 Directing the Legislative Budget and Finance Committee to
2 conduct a study of the extent to which rape kits remain
3 unprocessed in this Commonwealth and identify the reasons
4 that the kits remain untested.

5 WHEREAS, The Pennsylvania Department of Health recently
6 reported that more than 3,000 rape kits are awaiting testing at
7 law enforcement agencies and crime labs in this Commonwealth,
8 including over 1,800 rape kits that have been waiting 12 months
9 or longer to be tested; and

10 WHEREAS, Act 27 of 2015 provided a methodology for local law
11 enforcement agencies to count the backlog of rape kits and
12 established a three-year time frame to eliminate this backlog;
13 and

14 WHEREAS, Certain legal requirements imposed by Act 27 of
15 2015, including that victims provide written consent prior to
16 rape kits being tested, that rape kits be picked up within 72
17 hours of being processed and that victims receive notification
18 when a kit has been tested, do not appear to be uniformly

1 followed by all local law enforcement agencies within this
2 Commonwealth; and

3 WHEREAS, Studies show that rapists tend to be serial
4 criminals, thus increasing the urgency that rape kits be
5 processed in a timely manner so the DNA information can be
6 promptly entered into the FBI's DNA database; and

7 WHEREAS, The Office of the Auditor General recently released
8 an audit identifying many of these and other problems and making
9 recommendations to address these issues; therefore be it

10 RESOLVED, That the Senate direct the Legislative Budget and
11 Finance Committee to conduct a study of the extent to which rape
12 kits remain unprocessed in this Commonwealth and identify the
13 reasons that the kits remain untested; and be it further

14 RESOLVED, That the Legislative Budget and Finance Committee
15 identify all possible sources of funding, including all
16 available Federal funding, that could be used to expedite the
17 processing of untested rape kits; and be it further

18 RESOLVED, That the Legislative Budget and Finance Committee
19 assess the likelihood that local law enforcement agencies and
20 crime labs in this Commonwealth will be able to meet the
21 deadlines established in Act 27 of 2015 for eliminating the
22 backlog of untested rape kits; and be it further

23 RESOLVED, That the Legislative Budget and Finance Committee
24 assess compliance with the victim consent, victim notification,
25 reporting and other requirements established by Act 27 of 2015
26 with regard to the processing of rape kits; and be it further

27 RESOLVED, that the Legislative Budget and Finance Committee
28 report its findings to the General Assembly by June 30, 2017.