



32 West 22nd Street, 4<sup>th</sup> Floor  
New York, New York 10010  
(212) 475-2026  
joyfulheartfoundation.org

Board of Directors:

Mariska Hargitay  
Founder & President

Christina Norman  
Chair

Sukey Novogratz  
Vice Chair

Tom Nunan  
Secretary

Karen Polivka  
Treasurer

Jessica Ambrose

Beth Armstrong

Durk Barnhill

Jenny Belushi

Jill Eisenstadt-Chayet

Michele Dominick

Linda Fairstein

Erica Fisher

Peter Hermann

Danielle Herzlich

Mark Herzlich

Valli Kalei Kanuha, Ph.D.

Michael King

Andrea McTamane

Rev. Al Miles

Debbie Millman

Heather Mnuchin

Chauncey Parker

Stanley Schneider

Andrew Schwartzberg

Carrie Shumway

Amanda Stephens

Noelle Wolf

January 18, 2019

Senator Affie Ellis  
P.O. Box 454  
Cheyenne, WY 82003

Dear Senator Ellis,

The Joyful Heart Foundation supports Senate File 72, which would help Wyoming obtain an accurate count of the rape kits in the state and bring transparency and accountability to rape kit testing practices.

Every 98 seconds, someone is sexually assaulted in the United States. In the immediate aftermath of a sexual assault, a victim may choose to undergo a medical forensic examination to collect evidence left behind in the assault. A doctor or nurse will conduct the examination, which can last between four and six hours, and collect evidence in what is commonly called a rape kit. DNA evidence is an invaluable investigative tool. When tested, rape kit evidence can identify an unknown assailant, reveal serial offenders, and exonerate the wrongfully convicted.

To ensure rape kits are tested expeditiously and sexual assault survivors are supported, legislative reform is necessary. Joyful Heart's six legislative provisions, or pillars, constitute comprehensive rape kit reform. With Senate File 72, Wyoming enacts its first pillar and takes a meaningful step towards comprehensive reform and justice for survivors.

Specifically, Senate File 72 would require each criminal justice agency to report annually all investigations in which a rape kit is collected. The report must include: the type of crime involved; whether the evidence was submitted to a crime lab; if analysis was completed; and, if not submitted, the reasons for non-submission. Future legislation may consider requiring the date of collection of the kit, the date law enforcement retrieved the kit, and the date the kit was submitted to the lab. These temporal data will help identify if a backlog exists, as well as areas of improvement in the rape kit handling process. Senate File 72 additionally provides that destruction of kits cannot occur until the statute of limitations has run or law enforcement obtains a court order. Premature destruction of a rape kit can have severe negative consequences on a survivor's healing, rendering strong evidence retention policies critical.

The Joyful Heart Foundation thanks you for your leadership to enact an annual rape kit inventory, becoming Wyoming's first pillar of rape kit reform. We stand ready to assist you in your efforts to end the backlog and offer a path to healing and justice to all sexual assault survivors.

Sincerely,

Ilse Knecht  
Director of Policy & Advocacy