

1 A MEMORIAL

2 REQUESTING THAT THE SECRETARY OF PUBLIC SAFETY AND THE
3 DIRECTOR OF THE STATEWIDE COALITION TO END SEXUAL VIOLENCE
4 CONVENE A TASK FORCE TO STUDY AND REPORT ON THE PROCESSING OF
5 BACKLOGGED SEXUAL ASSAULT EXAMINATION KITS.

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7 WHEREAS, reports of sexual assaults in New Mexico have
8 increased sixty-two percent since 2003, and from 2003 through
9 2012, state funding for services for survivors of sexual
10 assault has not increased to meet the increase in reports;
11 and

12 WHEREAS, sixty-six percent of incidents of sexual
13 violence in New Mexico are committed against children and
14 adolescents, which is twelve percent higher than the national
15 average; and

16 WHEREAS, one in four women and one in twenty men in
17 New Mexico experience an attempted or completed rape in their
18 lives, and eighty-three percent of those attempted or
19 completed rapes are not reported; and

20 WHEREAS, sexual assault survivors deserve the
21 opportunity to receive information about the status of their
22 cases, particularly if their cases are reopened or if
23 additional information or evidence is revealed; and

24 WHEREAS, this state, like many other states, has
25 identified a backlog of more than five thousand sexual

1 assault examination kits that have not been processed; and

2 WHEREAS, as the state completes processing of backlogged
3 sexual assault examination kits, new information and evidence
4 will be revealed about survivors' cases, and increased
5 services for survivors of sexual assault will be needed; and

6 WHEREAS, for every survivor whose sexual assault
7 examination kit was backlogged or not tested, the law should
8 grant the survivor or the survivor's representative the right
9 to:

10 A. be notified by law enforcement and sexual
11 assault service providers of any change in the status of the
12 survivor's case;

13 B. be notified of a DNA evidence match in the DNA
14 database in connection with the survivor's case;

15 C. be notified that the survivor's closed case has
16 been reopened; and

17 D. receive services by sexual assault service
18 providers when the survivor's untested or backlogged sexual
19 assault examination kit is tested;

20 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE
21 STATE OF NEW MEXICO that the secretary of public safety and
22 the director of the statewide coalition to end sexual
23 violence be requested to convene a task force to assess the
24 progress of processing backlogged sexual assault examination
25 kits and to make related recommendations; and

1 BE IT FURTHER RESOLVED that the task force be composed
2 of:

3 A. the secretary of public safety or the
4 secretary's designee;

5 B. the director of the statewide coalition to end
6 sexual violence or the director's designee;

7 C. the state auditor or the state auditor's
8 designee;

9 D. the attorney general or the attorney general's
10 designee;

11 E. the director of a rape crisis center that
12 serves a community with a population of one hundred thousand
13 or greater;

14 F. the director of a rape crisis center that
15 serves a community with a population of less than one hundred
16 thousand;

17 G. the director of a sexual assault nurse examiner
18 program that serves a community with a population of one
19 hundred thousand or greater;

20 H. the director of a sexual assault nurse examiner
21 program that serves a community with a population of less
22 than one hundred thousand;

23 I. the chief of the department of public safety's
24 forensic laboratories bureau;

25 J. the director of the Albuquerque police

1 department's crime laboratory; and

2 K. the statewide sexual assault nurse examiner
3 coordinator; and

4 BE IT FURTHER RESOLVED that the secretary of public
5 safety or the secretary's designee and the director of the
6 statewide coalition to end sexual violence or the director's
7 designee serve as co-chairs of the task force; and

8 BE IT FURTHER RESOLVED that the task force meet at least
9 two times each year for five years, beginning in 2016; and

10 BE IT FURTHER RESOLVED that the task force report
11 annually to the interim legislative committee dealing with
12 courts, corrections and justice issues and to the legislative
13 health and human services committee with the task force's
14 recommendations and updates on:

15 A. progress made on processing backlogged sexual
16 assault examination kits;

17 B. contacts made by law enforcement and rape
18 crisis center representatives with survivors whose sexual
19 assault examination kits have been processed and where DNA
20 evidence matches have been made in the DNA database;

21 C. the adequacy of support services available to
22 survivors who are affected by the processing of backlogged
23 sexual assault examination kits; and

24 D. any legislation the task force recommends for
25 introduction; and

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BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the secretary of public safety, the director of the statewide coalition to end sexual violence, the attorney general, the chief of the department of public safety's forensic laboratories bureau, the director of the Albuquerque police department's crime laboratory and the statewide sexual assault nurse examiner coordinator. _____