

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.

6  
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 New  
17 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 HOUSE OF  
21 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the secretary  
22 of public safety and the director of the statewide coalition  
23 to end sexual violence be requested to convene a task force  
24 to assess the progress of processing backlogged sexual  
25 assault examination kits and to make related recommendations;

1 and

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

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

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

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

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

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

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

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

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

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

1 J. the director of the Albuquerque police  
2 department's crime laboratory; and

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

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

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

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

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

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

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

25 D. any legislation the task force recommends for

1 introduction; and

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

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