



*Nothing is politically right  
that is morally wrong.*

MISSOURI SENATE  
JEFFERSON CITY

*Free and fair discussion  
is the firmest friend of truth.*

FOR IMMEDIATE RELEASE

April 12, 2007

## **Bill Better Protecting Sexual Assault and Domestic Violence Victims Advances**

### ***Victims Will No Longer Have to Pay for Rape Kits***

JEFFERSON CITY – Better protections for victims of rape and domestic violence today advanced to the House with a final vote from the Senate. Senate Leader Michael R. Gibbons, R-Kirkwood, sponsored the legislation when he learned of the alarming amount of violent and sexual crimes against women that go unreported.

“In 2005, nearly 1,500 women reported being raped and nearly 40,000 reported being victims of domestic violence in Missouri. But experts say only 1 out of 10 sexual assaults are reported and only half of domestic abuse cases are reported,” Gibbons said. “We must protect victims so they feel more comfortable and safe to come forward to seek help and justice.”

The measure, Senate Bill 429, increases the penalties for repeat domestic violence abusers from 5 to 15 years in prison to 10 to 30 years, or life in prison. It also states that victims of sexual assault or forcible rape cannot be forced to submit to a polygraph test in order to have the crime investigated. Volunteers and employees of rape crisis centers would be protected from testifying about confidential information unless the client waives the confidentiality requirements. Following sentencing, it provides further protections by allowing crime victims to offer a statement by counsel or a representative designated by them in lieu of a personal appearance as well as allow a partition to be set up in a probation and parole hearing in order to shield them from the offender.

Gibbons said he was also shocked to learn that rape victims many times are forced to pay for the rape kit and collection of evidence used in the prosecution of their case.

“The women who fall prey to these horrible crimes should not be further victimized by the process that is supposed to bring justice in their case,” Gibbons said. “You would be appalled if your home was broken into and the police handed you a bill for dusting for fingerprints.”

Current law in Missouri requires Medicaid or insurance carriers to cover the medical examination costs, but Gibbons said many victims end up paying the costs because they are

-MORE-

uninsured. SB 429 would require the Department of Health and Senior Services to make payments to medical providers to cover the charges of forensic examinations for victims of sexual offenses. Victims would also be able to seek “out-of-pocket” losses from the Crime Victims Compensation Fund to cover the cost of personal property that is seized as part of the investigation.

“This expansive bill will provide Missouri women victimized by sexual and domestic violence with crucial support and essential protections in law,” said Colleen Coble, Executive Director of Missouri Coalition Against Domestic and Sexual Violence. “Ensuring that victims of sexual assault no longer have to pay for the costs of evidence collection—the only crime victims who must do so—is long overdue. Also, the bill’s protection of communications among sexual assault survivors and advocates at rape crisis centers is an important element of every community’s response to sexual violence.”

Other protections for victims in the bill include:

- Identifying information of sexual assault or forcible rape victims would be removed from any court record before being disclosed to the public. A confidential address program is also set up through the Secretary of State’s office.
- Prohibits an employer from firing or disciplining an employee for attending a criminal proceeding or require any witness, victim, or member of the victim’s family to use vacation time, personal time, or sick leave for honoring a subpoena to testify, attend, or participate in a criminal proceeding.

The bill now moves to the House for similar consideration.

###