



*Nothing is politically right
that is morally wrong.*

MISSOURI SENATE
JEFFERSON CITY

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is the firmest friend of truth.*

FOR IMMEDIATE RELEASE

May 17, 2007

Bill Better Protecting Sexual Assault and Domestic Violence Victims Sent to Governor

Victims Will No Longer Have to Pay for Rape Kits

JEFFERSON CITY – Better protections for victims of rape and domestic violence today received final approval from the General Assembly and moves to the governor’s desk for his signature. Senate Leader Michael R. Gibbons, R-Kirkwood, teamed with Rep. Connie Johnson, D-St. Louis, to pass 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, House Bill 583, 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 or have a representative appear for them as well as allows a partition to be set up during probation and parole hearings in order to shield the victim 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

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uninsured. The measure requires 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. Last week, the Legislature allocated \$250,000 to the department to pay for forensic exams. 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.

Gibbons said community advocates played an important role in helping bring this issue to the attention of lawmakers so it would pass.

“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 governor’s desk where it awaits his signature to become law.

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