



[SF 2376](#) – Crime Victim Assistance (LSB5374SV)
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Fiscal Note Version – New

Description

[Senate File 2376](#) relates to crime victims, including the collection of evidence in sexual abuse cases, victim consent provisions, and notification requirements. The Bill establishes an automated sexual abuse evidence collecting kit tracking system within the [Crime Victim Assistance Division](#) (CVAD) of the Department of Justice, with the purpose of allowing victims, county attorneys, and other entities with custody of sexual abuse evidence kits to track a kit's location and status.

The Bill requires the State Criminalistics Laboratory under the supervision of the Division of Criminal Investigation (DCI) to provide health care providers with sexual abuse evidence collection kits, and requires health care providers to utilize these kits in conducting forensic medical examinations of victims of sexual abuse. Additionally, the Bill requires health care providers, laboratories, and law enforcement agencies to document the location and status of a kit within a certain time period in the newly established kit tracking system, and provides requirements for storage, disposal, and victim notification requirements.

Background

The CVAD was established in 1989 to provide services and assistance to victims of violent crime pursuant to Iowa Code section [915.94](#). The Division advocates for the rights and needs of victims and administers a variety of victim services programs such as the IowaVINE System, an automated victim notification system, and the Victim Assistance Grant Program and the Victim Services Support Program, which award grants to local providers of domestic abuse and sexual assault programs.

The CVAD is primarily funded by the [Victim Compensation Fund](#). The Fund receipts include:

- Certain fines for Operating While Intoxicated (OWI) and the fine for failure to have proof of insurance.
- The federal Victim of Crime Act (VOCA) compensation grant.
- Administrative costs of the federal Family Violence Prevention and Services Act, VOCA, and the Violence Against Women Act (VAWA).
- Victim restitution and a percentage of wages earned by inmates employed in the private sector.
- Subrogation or reimbursement for costs incurred from the at-fault party.
- Seventeen percent of the criminal penalty surcharge, which is to be deposited in the Fund pursuant to Iowa Code section 602.8108(3).

Additionally, the CVAD also administers several federal funds for Victim Assistance Grants, such as the VOCA assistance grant award and the Family Violence and Prevention and Services Act grant award.

Assumptions

- The state of Iowa purchases 1,000 to 5,000 sexual assault kits annually to be distributed for use in forensic examinations.
- There are approximately 400 law enforcement agencies in Iowa. It is assumed that small agencies will likely process fewer sexual abuse cases than larger agencies, and that each agency will need to adjust staffing to accommodate the number of cases processed.
- The estimated cost for administering the kit tracking system is based on the scope of work as provided by a potential system vendor.
- The estimated cost for bar code and labeling material is based on information provided by the manufacturer of the sexual abuse evidence collection kits the State currently utilizes.
- Federal grant funding provided by the National Institute of Justice will cover costs related to the development and implementation of the kit tracking system until the grant period terminates at the end of FY 2021. After this time, funds from the Victim Compensation Fund established under Iowa Code section [915.94](#) will be used to cover expenditures related to the kit tracking system.

Fiscal Impact

Senate File 2376 is estimated to increase the costs to the CVAD under the Office of the Attorney General, by the amount listed in the table below.

| Expenditure | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 |
|--------------------------------|-----------------|-----------------|-------------------|-------------------|-------------------|-------------------|
| Bar Code/Labeling | \$ 4,500 | \$ 4,500 | \$ 4,500 | \$ 4,500 | \$ 4,500 | \$ 4,500 |
| Tracking System Administration | 0 | 0 | 158,000 | 160,800 | 164,000 | 168,000 |
| Total | \$ 4,500 | \$ 4,500 | \$ 162,500 | \$ 165,300 | \$ 168,500 | \$ 172,500 |

Senate File 2376 also requires county and municipal law enforcement agencies with jurisdiction over cases with sexual assault evidence kits to utilize the tracking system. Varying factors such as caseload, kits utilized per jurisdiction, and time and salary requirements for employees tasked with updating the system and notifying victims make it difficult to establish a cost estimate for local law enforcement. The fiscal impact of SF 2376 on local jurisdictions such as counties and municipalities cannot be estimated at this time.

Sources

Legislative Services Agency
Attorney General
Department of Public Safety

/s/ Holly M. Lyons

March 24, 2020

Doc ID 1132079

The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.