



**SEXUAL ASSAULT VICTIM'S
DNA BILL OF RIGHTS
PENAL CODE 680**

DNA and forensic identification analysis is a powerful law enforcement tool for identifying and prosecuting sexual assault offenders.

1. Victims of sexual assaults have a strong interest in the investigation and prosecution of their cases.
2. Law enforcement agencies have an obligation to victims of sexual assaults in the proper handling, retention and timely DNA testing of rape kit evidence or other crime scene evidence and to be responsive to victims concerning the developments of forensic testing and the investigation of their cases.

The Department of Justice's Cal-DNA databank and the Combined DNA Index System (CODIS) makes it possible for many sexual assault perpetrators to be identified after their first offense, provided that rape kit evidence is analyzed in a timely manner.

3. The crime lab should process the sexual assault forensic evidence, create DNA profiles when able, and upload qualifying DNA profiles into CODIS as soon as practically possible, but no later than 120 days after initially receiving the evidence.
4. Upon the request of a sexual assault victim the investigating agency may inform the victim of the status of the DNA testing of the evidence. The investigating agency may respond to the victim's request with either an oral or written communication, or by electronic mail, if available.

SEXUAL ASSAULT VICTIM'S DNA RIGHTS

- The right to be informed whether or not a DNA profile of the assailant was obtained from the testing of the rape kit evidence or other crime scene evidence from their case.
- The right to be informed whether or not the DNA profile of the assailant was entered into the Department of Justice Data Bank.
- The right to be informed whether or not there is a match between the DNA profile of the assailant developed.
- A sexual assault victim may designate a sexual assault victim advocate, or other support person of the victim's choosing, to act as a recipient of the above information required to be provided by this section.
- It is the intent of the Legislature that a law enforcement agency responsible for providing information concerning the sexual assault investigation do so in a timely manner upon request of the victim or the victim's designee.

OFFICER/INSPECTOR

NAME _____

STAR _____

INCIDENT# _____

For further information regarding the Sexual Assault Victim's DNA Bill of Rights, please contact the San Francisco Police Department (SFPD), Sexual Assault Unit at (415) 553-9225.

