



Ohio Administrative Code

Rule 109:7-1-07 Procedure for testing and tracking of sexual assault evidence kits.

Effective: April 3, 2020

(A) Evidence collected by a hospital, children's advocacy center, or other emergency medical facility as part of preparing a sexual assault evidence kit shall be tested by a forensic laboratory. The evidence shall be tested according to protocols established by the laboratory.

(B) Once a sexual assault evidence kit is obtained by the hospital, children's advocacy center, or other emergency medical facility that gathered the evidence shall notify the law enforcement for the jurisdiction where the sexual assault reportedly occurred that the sexual assault evidence kit is complete and law enforcement can take custody of the sexual assault evidence kit. Custody of the sexual assault evidence kit will be conducted based upon the evidence collection protocol for that particular law enforcement agency.

(C) The hospital, children's advocacy center, or other emergency medical facility that completed the sexual assault evidence kit shall log into the state tracking system and record release of the sexual assault evidence kit from the hospital, children's advocacy center, or other emergency medical facility to the law enforcement agency.

(D) After taking custody of the sexual assault evidence kit the following procedures shall take effect:

(1) If testing will be completed by bureau of criminal identification and investigation, law enforcement shall log the kit into the state tracking system.

(2) In the event the sexual assault evidence kit is being submitted to a laboratory other than bureau of criminal identification and investigation, the law enforcement agency shall follow their agencies evidence collection and tracking protocols.

(3) At such time as the sexual assault evidence kit is submitted to the alternate laboratory for testing the law enforcement agency shall record release of the sexual assault evidence kit to the appropriate



laboratory in the state tracking system.

(4) Law enforcement shall forward the sexual assault evidence kit to the selected laboratory for testing within thirty days from the date of evidence collection.

(E) Submission of any sexual assault evidence kit to a laboratory shall be conducted in accordance with the laboratories evidence submission policies.

(F) There shall be no charge to the victim for the sexual assault evidence kit.

(G) The sexual assault evidence kits shall contain a victim notification form. Such form shall advise the victim of their right to notification under the sexual assault kit tracking system.

(H) Updates to the sexual assault kit tracking system shall be made at the following times:

(1) When law enforcement submits the sexual assault evidence kit to the laboratory;

(2) When the laboratory completes testing on the submitted sexual assault evidence kit; and

(3) When there is a change in the status of the case.