

OFFICE OF THE RAMSEY COUNTY ATTORNEY
John J. Choi, County Attorney



345 Wabasha Street, Suite 120, St. Paul, MN 55102-1432
Telephone 651-266-3222 Fax 651-266-3015

NEWS RELEASE

April 13, 2020

Contact: Dennis Gerhardstein, 651 266-3074
(Cell) 651 600-1830

Ramsey County law enforcement, county attorney join forces with advocates to push for statewide sexual assault kit storage

Inconsistent patchwork of storage practices, facilities leave victims vulnerable to injustice

Saint Paul, MN – Ramsey County Attorney John Choi joined leadership from the Ramsey County Sheriff’s Office, the Saint Paul Police Department, the Ramsey County Sexual Assault Nurse Examiner (SANE) program supervisor and the Minnesota Coalition Against Sexual Assault (MNCASA) to call upon legislators to create and fund centralized storage for sexual assault kits (SAK) at the Bureau of Criminal Apprehension. If funded, the new system would allow Minnesota to consistently and effectively track, inventory, store, and audit SAKs.

“Our commitment to a victim-centered response and to hold perpetrators accountable breaks down when we fail to provide a consistent and trackable process for testing and storing rape kits on a local and statewide basis,” said Ramsey County Attorney John Choi. “All of the hard work that law enforcement, prosecutors and victim advocates like the Ramsey County Sexual Violence Offense Services (SOS) put into bringing justice to victims can be undermined when a rape kit goes unaccounted for or is inadvertently destroyed because there is no centralized framework of tracking and storing rape kits.”

In response to the lack of a centralized system to store restricted sexual assault kits, the Ramsey County Attorney’s office allocated a portion of its civil asset forfeiture funds in 2019 to purchase a new storage refrigerator – now housed at Regions Hospital. In 2019, there were over 400 sexual assault exams performed in Ramsey County between Regions, St. Joseph’s, St. John’s and United Hospitals. Regions cited a 65% report rate for sexual assault victims, meaning 90 restricted cases per year will need storage space in the new refrigerator. If Minnesota passes centralized storage and tracking, a system can be developed where restricted rape kits are labeled with a number that is matched to a patient name. This allows a patient victim to report to law enforcement in the future when they are ready.

In one recent case, Ramsey County sexual assault investigator Jessica OHern received a call from a victim stating she was now ready to proceed with a formal report to law enforcement. Deputy OHern realized the related sexual assault kit was about to be destroyed to make room for new kits. That nearly destroyed kit along with the victim’s report of criminal sexual conduct led to a criminal complaint and an eventual conviction when the defendant pled guilty in Ramsey County District Court. After this case, OHern began an ad hoc practice of collecting rape kits

that were on a destruction schedule and housing them at the Sheriff's Office. "Local communities should not have to rely upon the heroics of an investigator or cobble together funds to purchase a refrigerator for their local hospitals," Choi added.

"But for the extraordinary work of a dedicated investigator, this case would likely never have been presented to prosecutors," said Ramsey County Undersheriff Mike Martin. "A universal storage system would take one significant barrier out of the way for our officers who work to bring justice to victims of sexual assault every day."

"The Regions Hospital SANE Program encourages victims to be seen at the ER for medical treatment as soon as possible after a sexual assault as care from a specially trained SANE can have long term health and psychological benefits," said Ellen Johnson, SANE Program Supervisor. "Our goal is to support survivors, and our community, by initiating the path to recovery, but a lack of clear expectations and centralized storage can lead to unnecessary challenges when a victim is ready to report."

The victim-centered approach taken by each of the sexual assault response partners in Ramsey County correlates to a guiding fundamental principle that survivors deserve to have the evidence collected during their sexual assault forensic exam processed as carefully as evidence collected in other crimes. It is with this in mind that the core elements of the proposed legislation perform three key functions: Provide victims/survivors the time they need to decide if they want to engage with the criminal justice system, enable victims/survivors to know the status of their kit and give the criminal justice system the opportunity to provide transparency and accountability to victims/survivors and our communities. MNCASA thanked the Minnesota House of Representatives for including this strong bipartisan reform in the Public Safety and Criminal Justice Reform Supplemental Appropriations Bill scheduled to be heard in committee this week.

"Trauma knows no timeline or geographical boundary and every law enforcement officer has an obligation to be prepared to investigate when survivors decide they're ready to move forward—regardless where or when the crime occurred," said Saint Paul Police Chief Todd Axtell. "This bill is about giving survivors throughout the state an assurance that all of the evidence will be there when they're ready to seek justice."

Sexual Assault Kit Legislation & Survivor Resource Links

- House File [2983](#) (Rep. Moller & Rep. O'Neill co-authors)
- Senate File [3462](#) (Sen. Limmer, Sen. Dziedzic & Sen. Benson co-authors)
- Legislative [Fiscal Note](#)
- MNCASA [Sexual Assault Kit](#) background and priorities
- Ramsey County [SOS Sexual Assault Services](#)
- Attached: Pictures of Regions Hospital storage refrigerator & BCA sample kit

Note: Contact Dennis Gerhardstein for additional information.