

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: April 25, 2011
POSITION: Neutral
SPONSOR: Alameda County District Attorney

BILL NUMBER: SB 534
AUTHOR: E. Corbett

BILL SUMMARY: Victims of Sexual Assault

Current federal law, the Violence Against Women Act (VAWA), establishes an office within the Department of Justice to administer the Act, including the Services-Training Officers-Prosecutors (STOP) grant program, which provides grants to states to address issues associated with violence against women. The VAWA Office has authority over all grants, cooperative agreements, and contracts authorized by VAWA, and develops policies and guidelines for programs receiving grants under the Act.

Existing federal law bars a state from receiving a VAWA grant unless state law provides as follows:

- A sexual assault victim shall not be charged for forensic and medical examinations, as specified.
- A sexual assault victim shall not be required to participate in the criminal justice system in order to receive a forensic medical exam or to receive reimbursement for the exam.

California receives about \$13 million annually from the VAWA grant programs.

This bill would provide that victims of sexual assault are not required to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam.

FISCAL SUMMARY

Finance estimates this bill would have no state General Fund impact.

COMMENTS

Finance notes the following with regard to this bill:

- Existing practice throughout local California jurisdictions has been to provide these forensic exams upon request, but the requirement has not heretofore been codified. We are not aware of any instance where a requested exam has been denied.

Code/Department Agency or Revenue Type	(Fiscal Impact by Fiscal Year)								Fund Code	
	SO	(Dollars in Thousands)								
	LA	CO	PROP	FC	2010-2011	FC	2011-2012	FC		2012-2013
0001/Major Rev	SO	No			-----	No/Minor	Fiscal Impact	-----		0001

Analyst/Principal (0762) C. Hill	Date	Program Budget Manager Mark Hill	Date
-------------------------------------	------	-------------------------------------	------

Department Deputy Director	Date
----------------------------	------

Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS Form DF-43 (Rev 03/95 Buff)