

January 29, 2024

Senator Beebe-Center, Representative Salisbury, and Members of the Joint Standing Committee on Criminal Justice and Public Safety:

My name is Keri Kapaldo, I am a registered nurse, a state credentialed sexual assault forensic examiner for pediatric patients, and a board-certified sexual assault nurse examiner for adult and adolescent patients. With 10 years of experience caring for victims of sexual assaults from all over Maine, I am here today in support of **LD 2129: An Act to Establish a Statewide Sexual Assault Forensic Examination Kit Tracking System and Conduct an Inventory of Existing Forensic Examination Kits.**

I am writing testimony today on behalf of the St. Joseph Hospital Sexual Assault Forensic Examiner (St. Joe’s SAFE) Program, for which I am the Program Coordinator. The St. Joe’s SAFE Program provides trauma-informed medical-forensic care for all victims of violence such as sexual assault, child sexual abuse, sex trafficking, and intimate partner violence. This bill is of particular importance to the St. Joe’s SAFE Program because a kit tracking system operates under the tenets of trauma-informed care in that it is patient centered, collaborative, and can help mitigate re-victimization for survivors. A kit tracking system creates a uniform data access point for key collaborators such as law enforcement, forensic nurses, and crime lab personnel which could allow for the generation of statistical reports, ability to track cases referred to the district attorney, and input of historic kit tracking information.

Because St. Joseph Hospital has a unique, dedicated forensic department, we can track data and statistics, something most other hospitals are not doing. This allows for us to catch data in areas that are typically hard to capture. In 2021, the St. Joe’s SAFE Program cared for 78 acute sexual assault patients; of which, 24 opted for forensic evidence collection via State of Maine Sex Crimes Kit, and only 10 of those 24 opted to report to law enforcement at the time of the exam. Even worse, only four 4 of the 24 sex crimes kits collected were completed at the crime lab. In 2022, the St. Joe’s SAFE Program cared for 88 acute sexual assault patients; of which, 54 opted for forensic evidence collection, 29 of those completing kits opted to report to law enforcement at the time of the exam, and only 12 kits were completed at the crime lab. In 2023, the St. Joe’s SAFE Program cared for 89 acute sexual assault patients; of which, 57 opted for forensic evidence collection, 36 of those completing kits opted to report to law enforcement at the time of the exam, and, by years end, only 11 had been completed at the crime lab.

YEAR	# of Acute Sexual Assault (SA) Exam Patients	# of Sex Crimes Kits Collected	# of Sex Crimes Kit Completed at the Crime Lab	% of Sex Crimes Kit Completed at the Crime Lab	# of SA w/Kit Collection, reported to Law Enforcement	# of SA w/Kit Collection, Anonymous
2021	78	24	4	16.7%	10	14
2022	88	54	12	22.2%	29	25
2023	79	57	11	19.3%	36	21

While the trend over the past three years has been upward in all areas discussed above, it is still glaringly obvious that a gross amount of sex crime kits remain untested giving way for many questions: Where are those kits? What happened to the reported sexual assault kits that were not tested? Who decides when and when not to send kits to the crime lab? How can an investigation be complete and thorough without the processing of forensic evidence? Do the victims who reported know their kits were not tested? Another unknown in these data points is the original reporting status of the kits completed at the crime lab. We do not know if the kits completed were strictly reported sexual assaults at the time of the exam or if some of the completed kits are from victims who originally opted for anonymous collection and then later reported their sexual assault.

In summary, a kit tracking system would allow for statewide use, tracking, data analysis, and statistical reporting for key collaborators. It would also provide ongoing insight into the incidence and prevalence of sexual assault occurring in Maine versus a snapshot obtained in a one-time inventory. Most importantly, it would give survivors of sexual assault direct access to the status and location of their sex crimes kit, generate accountability for key collaborators, and create a trauma-informed pathway during the investigative process allowing for the prevention of re-victimization.

I hope you will support LD 2129 and thank you for time and consideration.



Sincerely,
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