

Janet T. Mills
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Commissioner



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February 26, 2025

Senator Carney, Chair
Representative Kuhn, Chair
Members, Joint Standing Committee on Judiciary
100 State House Station
Augusta, ME 04333-0100

Re: LD 412 –*An Act to Prohibit the Sale or Provision of Self-administered Sexual Assault Forensic Evidence Collection Kits*

Senator Carney, Representative Kuhn and members of the Joint Standing Committee on Judiciary, thank you for the opportunity to provide information in support of LD 412.

This bill would prohibit the sale of self-administered sexual assault forensic evidence collection kits but would not bar the admissibility of such a kit as evidence in a court proceeding.

The Office of Child and Family Services (OCFS) oversees Maine's Sexual Assault Forensic Examiner (SAFE) Program. The concern with self-administered evidence collection is based on the forensic nursing perspective that use of a DIY kit may deter a survivor from seeking needed medical care and a comprehensive medical examination at a medical facility. OCFS also believes use of such kits could lead to missed opportunities to connect survivors of sexual assault with community resources to address their experience and associated trauma.

It is currently unclear how self-administered forensic evidence would be handled in a court proceeding. This is of particular concern in criminal cases where the weight of such evidence is of critical importance in holding perpetrators criminally liable for their actions.

OCFS encourages the Committee to vote ought to pass on LD 412.

Please feel free to contact me if you have any questions during your deliberation of this bill.

Sincerely,

A handwritten signature in blue ink that reads "Bobbi h. Johnson, LMSW".

Bobbi Johnson, LMSW
Director
Office of Child and Family Services
Maine Department of Health and Human Services