

Testimony in Support LD 549/SP 199

An Act to Establish a Statewide Sexual Assault Forensic Examination Kit Tracking System and Update Certain Requirements Regarding Sexual Assault Forensic Examination Kits

Tina Panayides

Good afternoon Senators Carney, Haggan, and Talbot Ross. Good afternoon Representatives Kuhn, Babin, Caruso, Dana, Henderson, Lee, O'Halloran, Poirier, Pugh, Sato, and Sinclair.

My name is Tina Panayides and I am speaking in favor of LD 549/SP 199. I speak today as a private citizen, but one informed by my job as a prosecutor and by my volunteer service as Chair of the Sexual Assault Forensic Examiner (or SAFE), Advisory Board.

Tracking, Inventory, and Testing of all Non-Anonymous Sexual Assault Kits. Mandated across the state. These are complex issues, but they come down to one thing: each kit represents a person.

When the SAFE Advisory Board created a multidisciplinary subcommittee to focus on the status of kits in Maine in 2021, we met at length with other states who are ahead of us in this work. They were clear: we need a tracking system, a complete inventory of stored kits, and testing of all non-anonymous kits. We were told repeatedly that legislation is critical to ensure the work is funded and accomplished. We do not have a lot of data, but the data we do have is alarming.

The Need for Tracking:

Around 80% of kits sent out for evidence collection and potentially containing evidence of sexual assault, are going into a 'black hole,' their locations completely unknown. A tracking system, currently used in two counties but needed statewide, would help identify where there may be issues, such as areas where no kits are being used, and would allow us to tailor training and partnership to increase reporting in these areas.

The Need for an Inventory:

Since news went out that we in Cumberland County had received a federal grant to do this work, victim-survivors from many years ago began calling us with questions about what happened to their sexual assault kits. Knowing which kits we still have that may contain important evidence is crucial.

The Need for Testing:

When around 80% of kits are not returned, this also means that most of the kits sent out are never tested and any potential evidence will never be analyzed or used. Without this, survivors will continue to be denied justice and future victims will be put at risk. In addition to providing a greater degree of public safety, **testing kits can also exonerate people**, achieving true justice in the criminal system. The numbers we have from Detroit and Wayne County's work on this issue shows that after testing their backlog of kits, about 23% of kits returned CODIS associations and their work uncovered 824 serial sexual offenders (*data from 2019)! The testing results showed

crossover and impact involving 40 states, which includes Maine. [Detroit Rape Kit Project | Prosecutor](#)

Maine is now the *only* state not to have adopted or mandated these reforms statewide. *(Please see graphic below from the JHF website and printed with permission.)*

Thank you to Rep. Geiger and Sen. Bennett, and the co-sponsors, for elevating this issue and working to move Maine forward on justice and safety for its citizens.

