



Janet T. Mills
Governor

STATE OF MAINE
Maine State Police Crime Laboratory
26 Hospital Street
133 State House Station
Augusta, Maine
04333-0133

A Nationally Accredited Laboratory



Lt. Michael Zabarsky
Director

**Testimony of Lieutenant Michael Zabarsky
131st Second Regular Session**

**NEITHER FOR NOR AGAINST LD 2129, AN ACT TO ESTABLISH A STATEWIDE SEXUAL
ASSAULT FORENSIC EXAMINATION KIT TRACKING SYSTEM AND CONDUCT AN
INVENTORY OF EXISTING FORENSIC EXAMINATION KITS**

Senator Beebe-Center, Representative Salisbury and honorable members of the Joint Standing Committee on Criminal Justice and Public Safety, my name is Lieutenant Mike Zabarsky and I am here today to testify on behalf of the Maine State Police Crime Laboratory and the Department of Public Safety neither for nor against LD 2129, an act to establish a statewide sexual assault forensic examination kit tracking system and conduct an inventory of existing forensic examination kits.

In the first regular session, LD 1484 established a Resolve requiring the Department to report on a pilot project initiated in partnership with MECASA to identify potential federal grant funding, kit tracking software, and necessary personnel at the Maine State Police Crime Laboratory to facilitate kit tracking. The pilot project is important for victims of sexual assault and all stakeholders working to implement a statewide tracking system for kits, which can be accessed by survivors, provide real-time kit related status, and enhanced anonymity throughout the tracking and forensic analysis process.

The pilot project recently started its work applying for and receiving a STOP grant to hire a part-time project manager and research kit tracking systems. Simply put, the project has not had enough time to report on how many kits are reported or unreported in law enforcement custody, whether changing kit storage to 20 years is a concern for other law enforcement agencies, determine a viable tracking system involving stakeholders in a meaningful way, and

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how many personnel are needed to manage a tracking system and process kits at the Crime Lab. The Lab is currently undergoing minor renovations to increase office space, but this bill may require additional or different facility needs, especially if every kit were tested. For these reasons, the Department anticipates a significant fiscal note.

The Department is committed to this project and wants to make sure this Committee has the most current information available to make informed decisions. For these reasons, the Department has strong reservations about moving forward with LD 2129 before we have even completed the preparatory research required by LD 1484's pilot program from the last session. Those reasons leave us no choice but to be neither for nor against this bill. On behalf of the Department of Public Safety and the Maine State Police, I thank you for your time and would be happy to try and answer any questions that you might have.

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