



*OFFICE OF THE DISTRICT ATTORNEY
CUMBERLAND COUNTY*

Jacqueline A. Sartoris
District Attorney

142 Federal Street, Portland, Maine, 04101

Portland
(207) 871-8384

**Testimony of Jacqueline Sartoris
Cumberland County District Attorney**

“An Act to Establish a Statewide Sexual Assault Forensic Examination Kit Tracking System and Conduct an Inventory of Existing Forensic Examination Kits in the Possession of Law Enforcement”

**Before the Joint Standing Committee on Criminal Justice and Public Safety
Public Hearing Date: January 29, 2024
Testimony in Support of LD 2129**

Good morning, Senator Beebe-Center, Representative Salisbury, members of the joint standing committee. My name is Jackie Sartoris. I am the District Attorney of Cumberland County, and I am honored to speak before you today to support this vital bill.

In 2019, while a prosecutor in Kennebec County, I read an Atlantic Monthly article titled “An Epidemic of Disbelief.” It detailed: that there was a nationwide backlog of thousands of untested stored rape kits; that in 49 out of every 50 rape cases, the perpetrator goes free; meaning rape - more than murder, robbery, or assault—is by far the easiest violent crime to get away with. My district hosted a conference with national speakers this fall - and thank you to the many legislators who attended, and the over 150 people who showed up in person or on zoom. We heard that in testing their backlog, prosecutors reported over 7% of kits were linked through DNA to serial rapists and a full 25% of the kits linked to another unsolved crime. And we know from national statistics that acquaintance rapists are also often serial rapists. While tracking kits should be a basic obligation to victims, testing is essential to crime prevention - to preventing trauma to new victims.

As a survivor of sexual assault and as a prosecutor, reading that article in 2019 left me ashamed. Not for being sexually assaulted decades ago - thanks to all the advocates who’ve taught us that

perpetrators and not victims bear the blame - but because I had long promised myself that my daughter's world would be different. And while some things are different - social media and they/them pronouns - our record of investigating, prosecuting, and preventing sex assault is little changed, even in Maine. In 2019, I found out that Maine wasn't even tracking new rape kits, let alone testing most of them, and no one could even estimate the size of Maine's backlog. Now we have another 5 years of kits in our backlog.

When I ran for DA in 2022, I pledged to make this different in Cumberland County. I promised that my county would center victims and follow best practices to hold perpetrators accountable and protect public safety. I promised we would seek a federal grant to test our backlog. My colleagues of the Maine Prosecutors Association unanimously support our upcoming application and I am confident we will be supported in this work to test our backlog, investigate and prosecute cases where appropriate.

But unless Maine starts tracking and testing going forward, statewide, which is the path this bill finally puts us on, there will be another backlog of cases and underserved victims even after Cumberland County completes our grant work.

As a law enforcement leader, I have an obligation to prevent sex assault and other crimes. Tracking and testing rape kits is proven to be a vital tool to do just that. I urge this Committee to support the essential work in this bill, and I welcome any questions you may have.