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President of the Senate

THE MAINE SENATE
132nd Legislature

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Testimony in Support of
LD 412, An Act to Prohibit the Sale or Provision of Self-administered Sexual Assault Forensic
Evidence Collection Kits
Presented to the Joint Standing Committee on Judiciary
February 26, 2025

Senator Carney, Representative Kuhn, and Esteemed Members of the Joint Standing Committee on Judiciary, my name is Mattie Daughtry. I serve as President of the Maine Senate and proudly represent Senate District 23, which includes Brunswick, Freeport, Harpswell, Pownal, Chebeague Island, and part of Yarmouth. I am honored to co-sponsor LD 412, "An Act to Prohibit the Sale or Provision of Self-administered Sexual Assault Forensic Evidence Collection Kits." I would like to thank Representative Sato for bringing forward this important measure to safeguard survivors of sexual violence.

I am here today because survivors of sexual violence deserve justice. That starts with access to professional, trauma-informed care. Forensic evidence collection is a complex process that requires trained medical professionals, proper handling procedures, and strict chain-of-custody protocols. I am concerned by the increasing availability of self-administered sexual assault forensic evidence collection kits because they may give survivors the false impression that these kits provide a reliable alternative to professional forensic exams.

LD 412 prohibits the sale and distribution of these self-administered kits in Maine. This bill aims to ensure survivors receive the proper medical care they deserve and that any evidence collected is legally admissible and useful in holding perpetrators accountable.

While it's true that many survivors face barriers to seeking professional forensic exams, whether due to distance, fear of law enforcement, or personal trauma, these kits do not resolve those challenges. In fact, they only add new risks. If the evidence collected is not legally admissible or properly preserved, survivors may unknowingly weaken their case, leaving them without a path to justice. No one should go through the difficult and emotional evidence collection process only to later find out that it cannot be used in court.

A professional forensic exam, on the other hand, provides survivors with the support of trained and compassionate medical professionals who are sensitive to their needs. It takes place in a health care setting where survivors can receive immediate medical care to address physical injuries, sexually transmitted infections, and pregnancy prevention, while ensuring that all evidence is carefully collected and preserved.

Furthermore, these kits are not just ineffective—they are exploitative. Companies market them as a viable alternative to professional forensic exams, despite clear evidence that they do not meet legal standards. Survivors should not be misled into spending money on a product that cannot deliver justice. For-profit companies should not be profiting off of misleading survivors.

Mainers support policies that protect survivors and provide victim-centered resources. We cannot allow unregulated, ineffective alternatives to replace the professional forensic exams conducted by trained Sexual Assault Forensic Examiner, health care providers who have been specially trained to provide comprehensive care for the sexual assault patient, someone with proven competency in conducting a forensic exam, who has the ability to be a fact and/or expert witness in court. Instead of allowing deceptive alternatives to proliferate, we should focus on expanding access to trained forensic examiners and strengthening survivor support services.

Passing LD 412 is a common-sense measure that protects the integrity of forensic evidence collection and, most importantly, the rights and well-being of survivors. I urge you to support this bill and take a stand against exploitative and inadequate alternatives that could further harm those seeking justice.

Thank you for your time and consideration.

President of the Senate, Senate District 23

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