

February 26, 2025

Senator Carney, Representative Kuhn, and Members of the Joint Standing Committee on Judiciary:

My name is Carlie Fischer, and I am submitting testimony today on behalf of the Maine Coalition Against Sexual Assault (MECASA), the organization that represents and serves Maine's sexual violence prevention and response programs as well as Maine's Children's Advocacy Centers. MECASA initiates and advocates for victim-centered public policy; provides expert training, technical assistance, and resources for providers and partners; and funds the service providers in your communities.

MECASA is here today neither for nor against LD 549, "An Act to Establish a Statewide Sexual Assault Forensic Examination Kit Tracking System and Update Certain Requirements Regarding Sexual Assault Forensic Examination Kits." Thank you to Sen. Bennett for sponsoring this legislation.

We strongly support many aspects of this bill. For example, MECASA has spent the last 18 months piloting a kit tracking system and starting to inventory kits in two counties, and we believe that that work should be expanded statewide. We are also in favor of increased testing. However, we have concerns about the timeline and methods of several of the kit testing practices outlined in this bill.

Currently in Maine, survivors can choose to have their evidence collected anonymously or as part of a formal report to law enforcement. While the physical kit is the same, we differentiate between those two choices by referring to "anonymous kits" and "reported kits". Survivors choose between these options for a variety of reasons. A survivor may choose to report because they are confident in their desire to participate in a criminal investigation, and MECASA strongly supports the testing of reported kits. Alternatively, having evidence collected anonymously allows survivors to preserve time-sensitive evidence without feeling pressured to report right away, if ever.

While we believe that survivors should be able to opt into having anonymous evidence tested, we are concerned about the unclear guidelines for maintaining anonymity. In Maine,

all kits contain identifying information inside the sealed box. This makes it tough to guarantee that personally identifiable details in anonymous kits will remain protected once these kits are opened and returned to law enforcement custody after testing.

Further, while we do not object to testing older reported kits, we do think a law that proposes to do so needs many, many safeguards that are absent from the current bill. Lessons from other states indicate that a multidisciplinary team of law enforcement, advocates, medical providers, and prosecutors should create a nuanced, trauma-informed outreach plan for contacting victims whose kits yield CODIS hits, and to explain to victims that not all cold cases will be prosecuted. These can be extraordinarily difficult conversations that require time, thought, and resources. Ensuring sufficient prosecutorial resources are available to move forward with cases after testing is also crucial. The bill should incorporate the necessary language and resources to align with national best practices.

Finally, processing the volume of evidence proposed in this bill requires a robustly resourced Crime Lab. We will not know how many untested reported kits exist until we complete a statewide inventory. Until then, determining the number of chemists needed remains challenging. The Maine State Police Crime Lab is the only accredited facility for forensic evidence processing in the state, and it's crucial to ensure they have the resources to handle all evidence—including sexual assault kits—quickly and skillfully. Other states have carved out exceptions for testing, but this bill offers no such provisions. For example, many states do not test kits when an adult survivor explicitly requests not to proceed with prosecution. Addressing these issues is essential to building an efficient system that prioritizes justice for all survivors.

For these reasons, we are neither for nor against this bill. We would be pleased to try to answer any questions you might have.

About Maine's Sexual Assault Service Providers

One in five Mainers will experience sexual assault at some point in their lifetime.¹ Each year, 19,000 Mainers will experience sexual violence.²

Maine's sexual violence service providers provide free and confidential services across the state to victims/survivors of sexual harassment and sexual assault and those close to them, as well as to individuals who wish to increase their understanding of the issues. Just some of the services include a 24-hour statewide sexual assault helpline, crisis intervention and information, support groups, in-person accompaniment and advocacy through the medical and legal systems, and school- and community-based prevention education. Services are provided for a victim/survivor regardless of when they experienced sexual violence, and regardless of what type of sexual violence they experienced. Types of sexual violence include, but are not limited to, sexual harassment and gender-based bullying, child sexual abuse, elder sexual abuse, stalking, sex trafficking, and sexual violence within an intimate partner relationship.

24/7 Confidential

Maine Sexual Assault Helpline: 1-800-871-7741

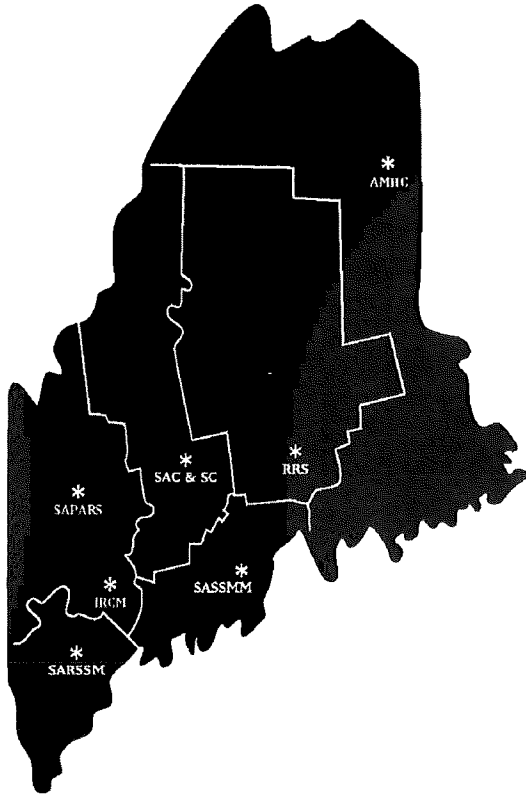
¹ Dumont, R. & Shaler, G. (2022). *Maine Crime Victimization Report: Informing public policy for safer communities*. Muskie School of Public Service, University of Southern Maine.

² *Ibid.*

mecasa

**MAINE COALITION AGAINST
SEXUAL ASSAULT**

info@mecasa.org | mecasa.org
207-626-0034



**STATEWIDE
SEXUAL ASSAULT HELPLINE
1-800-871-7741**

Free. Private. 24/7.

MAINE'S SEXUAL ASSAULT SUPPORT CENTERS

AMHC Sexual Assault Services (AMHC)

Serving Aroostook, Hancock, & Washington Counties •
amhcsexualassaultservices.org

Immigrant Resource Center of Maine

Serving Androscoggin & Cumberland Counties • ircofmaine.org

Rape Response Services (RRS)

Serving Penobscot & Piscataquis Counties • rrsonline.org

Sexual Assault Prevention & Response Services (SAPARS)

Serving Androscoggin, Oxford & Franklin Counties and the towns of
Bridgton & Harrison • sapars.org

Sexual Assault Crisis & Support Center (SAC & SC)

Serving Kennebec & Somerset Counties • silentnomore.org

Sexual Assault Response Services of Southern Maine (SARSSM)

Serving Cumberland & York Counties • sarsonline.org

Sexual Assault Support Services of Midcoast Maine (SASSMM)

Serving Eastern Cumberland, Sagadahoc, Knox, Waldo & Lincoln
Counties • sassmm.org

MORE SEXUAL VIOLENCE SERVICES

Maine TransNet • mainetrans.net • info@mainetransnet.org

Wabanaki Women's Coalition • wabanakiwomenscoalition.org
207-763-3478

Aroostook Band of Micmacs, Domestic & Sexual Violence
Advocacy Center • 207-551-3639

Houlton Band of Maliseets, Domestic & Sexual Violence
Advocacy Center • 207-532-6401

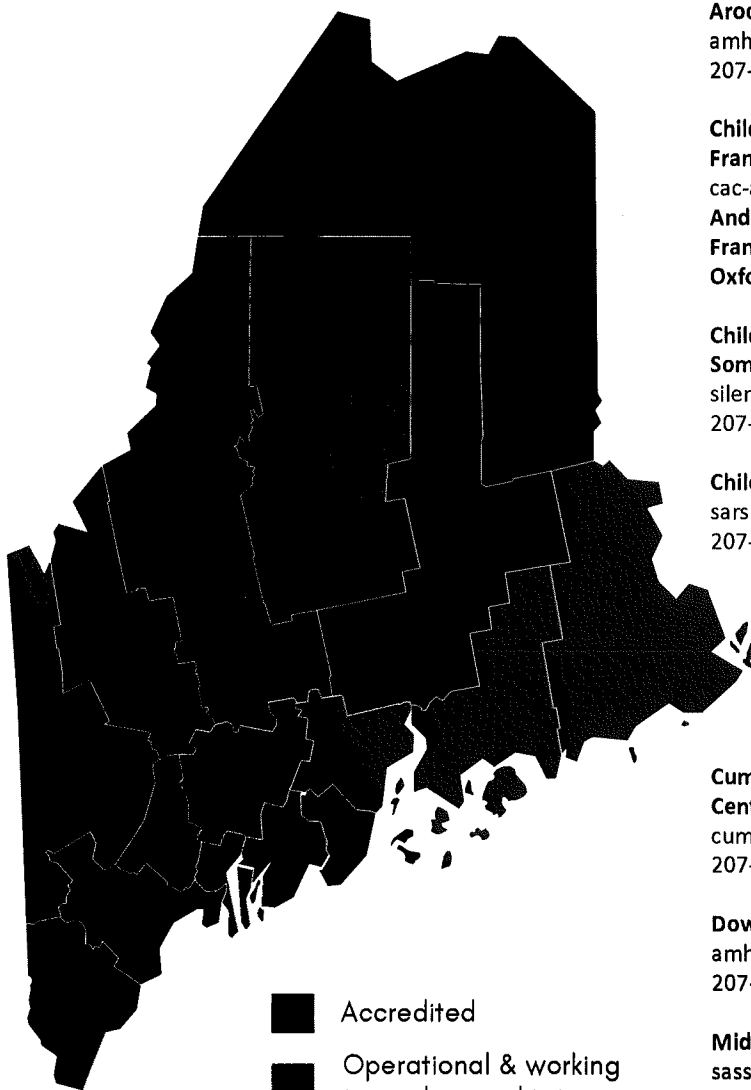
Indian Township Passamaquoddy, Domestic & Sexual
Violence Advocacy Center • 207-214-1917

Passamaquoddy Peaceful Relations • 1-877-853-2613

Penobscot Indian Nation, Domestic & Sexual Violence
Advocacy Center • 207-631-4886



Maine's Children's Advocacy Centers



Aroostook County Children's Advocacy Center
amhcsas.org
207-472-6134

Children's Advocacy Center of Androscoggin, Franklin, and Oxford Counties
cac-afco.org
Androscoggin: 207-784-0436
Franklin: 207-778-9777
Oxford: 207-739-1228

Children's Advocacy Center of Kennebec & Somerset Counties
silentnomore.org/about-our-cac
207-861-4491

Children's Advocacy Center of York County
sarsmm.org
207-459-2380

Cumberland County Children's Advocacy Center
cumberlandcountycac.org
207-879-6160

Downeast Children's Advocacy Center
amhcsas.org
207-255-3687

Midcoast Children's Advocacy Center
sassmm.org
207-522-7162

Penquis Children's Advocacy Center
penquiscac.org
207-974-2469