



Maine Women's Lobby

February 26, 2025

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

I join you today on behalf of the Maine Women's Lobby. For over forty years, the Maine Women's Lobby has worked to build gender justice in Maine through legislative advocacy and systems change.

We are before you today Neither For Nor Against LD of 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.

Nearly one-quarter of Mainers have experienced rape or attempted rape in their lifetime, women at more than three times the rate of men (35.7% vs 10.1%).¹ Sexual assault is a public health crisis, and its prevention is among our highest goals at our organization.

There are many elements of this bill that we strongly support, and are grateful for the swell of enthusiasm we've seen in recent years for addressing this important issue. Many thanks to Senator Bennett and Representative Geiger. We especially support Section 2, the tracking system, which builds on the hard work that is already underway by many partners in the state. The increased testing of kits, and a system for tracking them, can save time and resources while increasing access to justice.²

At the same time, the collection and testing of kits is not a panacea. As you probably know, the vast majority of sexual assault cases are not reported to law enforcement (only about 400 per year, out of between 15,000-30,000), and of those which are, the vast majority are not prosecuted. And kits and their contents are only relevant in a very small percentage of cases (where DNA is relevant, rather than the totality of the facts).

¹ Dumont, Robyn MPPM and Shaler, George MPH (2020). 2020 Maine Crime Victimization Survey: Informing Public Policy for Safer Communities. Maine Statistical Analysis Center. Retrieved from https://digitalcommons.usm.maine.edu/maine_statstcal_analysis_center/5

² ProPublica. (2021). Testing Rape Kits Can Deliver Exonerations, Closure and Cost Savings. Why Does It Still Take So Long to Do? Retrieved from <https://www.propublica.org/article/testing-rape-kits-can-deliver-exonerations-closure-and-cost-savings-why-does-it-still-take-so-long-to-do>

This is for many and complicated reasons, not least that in many cases, survivors themselves indicate that the criminal justice system can not offer them the justice they are seeking. When I worked directly with sexual assault service providers for over a decade, we referred to what we called 'procedural justice': the acknowledgement that, while it was vanishingly rare for a survivor to see their assailant be held accountable in a court of law, a survivor could experience justice by being seen, heard, believed, and supported by the multi-disciplinary team members that they encounter.

That brings me to my point of clarification with this bill. **Survivors are expressing their deep need for confidentiality around the assaults they experience - by either not reporting at all, or submitting kits anonymously. Respect for their confidentiality and desires are our organization's litmus test when it comes to kit testing.** We would like to see 1. robust systems to ensure their ongoing anonymity, rather than including anonymous kits and reported kits in the same pool; and 2. systems that acknowledge the time, care, and attention that would be required if cold cases were to be tested, and those survivors had their cases brought up long after the time they may have healed or moved on.

With those inclusions, we would certainly be happy to support work to expand the kit system.

I would also be remiss if I didn't flag that the system that is available to every survivor of sexual assault, whether the case was reported or not, and no matter when it happened, faces existential threats due to **loss of federal Victims of Crime Act funding, and level state funding for many years. Without this investment, there is no sexual assault response system in Maine to support the survivors whose kits may be generated, or tested, in the future.**

Thank you for your consideration.

Sincerely,

Destie Hohman Sprague
Executive Director