

Chairwoman (Anne) Carney, Chairwoman (Amy) Kuhn, and members of the Committee:

I am here to speak with you in favor of LD 549.

My name is Shaun Johnson. I am a Registered Nurse, a Forensic Nurse and work at the University of New England School of Nursing as Regional Coordinator for the Sexual Assault Nurse Examiner Program.

Adult survivors are not required to report their assault to the police (cases with minors must be reported). These cases are called 'anonymous' (or non-reported) since the patient's name is not on the outside of the kit linking the patient to the evidence. The only link is the kit number located on the front of the kit, with the number being in the survivor's medical record.

If evidence is collected, it is secured and, by statute, passed along to a police department. Unfortunately for survivors, there is no way for them to track where their kit might be --- with the police department or at the crime lab. Was it tested? They cannot know if any evidence was found. And, most kits that are collected in Maine are never tested. The Maine State Crime Lab reports that each year approximately 20% of the kits mailed out to hospitals are returned to the lab for testing. Yet, we know that most survivors, even those who are not reporting their case to the police, want their kit tested.

All kits of cases where the survivor has reported the crime to police should be tested or evaluated for relevant evidence including DNA which in most cases will identify the offender. If a DNA sample meets stringent standards for uploading into CODIS, it is done by crime lab staff. CODIS is the Combined DNA Index System – a computer program that manages DNA databases for police departments. In states that have implemented kit tracking and testing systems, all have identified multiple serial offenders of not only sexual assault but other crimes as well. Approximately 10 years ago, the city of Detroit discovered over 10,000 sex crimes kits in a warehouse. The Attorney General at the time ordered all of the kits of reported cases be tested. Of the first 1200 kits, 123 serial offenders were identified. This has been replicated across the US. Yet Maine has neither a statewide tracking system nor are most kits of reported sex crimes tested.

It is important that the tracking and testing system be in statute. The SAFE Program Advisory Board Kit Tracking and Testing committee, working on this issue for nearly 4 years, spoke with system coordinators in several states with active systems, and every coordinator said that it will only work if it is the law.

Maine has no way to identify offenders and hold them accountable. No way to identify serial offenders. Sexual Assault is a serious public health problem. Having a testing system in place helps law enforcement protect the public.

These are the reasons why we support LD 549 – to promote victim rights and assist in justice for survivors, to promote investigation and prosecution to hold offenders accountable, and to impact prevention efforts regarding sexual violence and abuse – a major public health problem.

Respectfully,  
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