



PRESS RELEASE

Maryland Sexual Assault Evidence Kit Policy and Funding Committee

The Maryland Sexual Assault Evidence Kit Policy and Funding Committee Celebrates Passage of Key 2019 Legislative Priorities

BALTIMORE, MD (April 10, 2019) - The Maryland Sexual Assault Evidence Kit Policy and Funding Committee celebrates the passage of three of its key 2019 legislative priorities. The Committee was established by the legislature in 2017 to create effective statewide policies regarding the collection, testing, and retention of medical forensic evidence in sexual assault cases and increase access to justice for sexual assault victims. Consistent with its mandate, the Committee has released [two reports](#) recommending policies to enhance the handling of sexual assault evidence kits (SAEKs) and increase victim services and support. Several of these recommendations have now been codified by the Maryland General Assembly. They include:

House Bill 1096/Senate Bill 767

Establishes Uniform Testing Criteria for SAEKs

- Eliminates current policy inconsistencies among jurisdictions by requiring that nearly all SAEKs be tested unless the victim declines to give consent for testing;
- Requires labs to complete testing and analysis of SAEKs in a timely manner and to annually report kit processing times to the SAEK Committee;
- Requires law enforcement agencies to use sexual assault crisis programs or other qualified community-based organizations to provide services and support to victims; and,
- Resolving concerns raised about “unfounded” kits, requires the SAEK Committee to establish an independent process to review and make recommendations regarding a decision of a law enforcement agency not to test a SAEK.

House Bill 1268/Senate Bill 569

Establishes a Rape Kit Testing Grant Fund

- Creates a grant fund to provide law enforcement agencies with the necessary funding to support compliance with the newly expanded testing criteria; and,
- Allows law enforcement agencies to obtain the equipment, personnel, and other resources necessary to test additional kits.

House Bill 1249/Senate Bill 657

Prevents survivors from contracting HIV

- Ensures that qualifying sexual assault survivors receive the full 28-day HIV nPEP (a form of medical intervention designed to prevent HIV infection after exposure to the virus) medication free of charge; and,
- Offers survivors who were potentially exposed to HIV the best chance to avoid contracting an incurable disease that will affect the rest of their lives.

These changes bring Maryland's testing policies in line with those in Pennsylvania and Virginia and are consistent with the national best practices identified by the U.S. Department of Justice and the Joyful Heart Foundation, a nonprofit working to eliminate the national rape kit backlog.

"While providing consistency for testing in all jurisdictions is great progress, we will continue our work to provide victims of sexual assault fair and just treatment," said Attorney General Frosh, chair of the SAEK Policy and Funding Committee. "The committee will continue to examine options and strategies to protect victim privacy, improve prosecution of sexual assault cases and expand access to sexual assault exams."

"These bills will help to make sure that a rape kit is handled consistently - no matter your Maryland zip code or who is your state's attorney or police commissioner," said Delegate Shelly Hettleman. "And they let survivors know that we are listening, respect them, and will do all we can to see that rapists are held accountable."

"I am so pleased that we are moving forward with this important, life-saving program," said Delegate Kirill Reznik. "The fact that we have the ability to prevent rape victims from being re-victimized through HIV infection is a no-brainer. Not only will we make a definitive difference in the rate of HIV infection, but we will also save money in the public health system as well. I am proud to have sponsored this legislation and have been a part of this process."

The Committee thanks the following legislators for leading this reform: Senators Sarah Elfreth, Nancy King, Will Smith, Jeff Waldstreicher and Chris West; and Delegates Sandy Bartlett, Wanika Fisher, Shelly Hettleman, and Kirill Reznik. Several Committee members also played key roles in the passage of these bills: Dan Katz and Argi Magers of the Maryland State Police; Scott Shellenberger, state's attorney for Baltimore County; Jen Witten of the Maryland Hospital Association; and the Maryland Coalition Against Sexual Assault, represented by Lisae Jordan. Numerous other stakeholders, including survivors of sexual assault Angela Wharton and Alexandria Ciccone and forensic nurse examiners Laura Clary and Jessica Volz, shared their experiences and offered testimony in support of these bills.