



PRESS RELEASE

Sexual Assault Evidence Kit Policy Committee Submits 2020 Annual Report *Committee Successfully Lobbied for Legislation Creating Uniform Testing and Rape Kit Testing Grant Fund*

BALTIMORE, MD (January 2, 2020) – The Sexual Assault Evidence Kit (SAEK) Policy and Funding Committee has submitted its [2020 Annual Report](#), including new policies and procedures for the testing, tracking, and retention of sexual assault evidence kits, and additional support and resources for victims of sexual assault.

In 2019, the Committee successfully advanced legislation to create uniform testing criteria for sexual assault evidence kits, fund expanded testing of kits, and provide prophylactic HIV prevention medication. The Committee also began implementing the federal \$2.6 million Sexual Assault Kit Initiative (SAKI) grant secured in September 2018. The grant will be used to conduct a statewide inventory of sexual assault evidence kits, test a portion of unsubmitted kits, establish a statewide tracking system, and provide victim services.

To promote compliance and consistency among jurisdictions, the SAEK Committee developed new SAEK policies, including clarifying the process for transferring kits from a hospital to a law enforcement agency (LEA), requiring LEAs to inform victims of the decision regarding whether a kit will be tested, and expanding LEA reporting requirements. Additionally, the Committee issued an FAQ to assist LEAs in implementing the new testing criteria, which went into effect on January 1. Consistent with legislation passed during the 2019 Legislative Session, the Committee also drafted proposed regulations to develop an independent review process for when an LEA determines not to test a kit. Finally, to assist in the implementation of federal grant funds, the Committee established the order in which kits will be tested under the grant, with approximately \$900,000 used to test kits and the remaining funds used to develop a statewide tracking system and to enhance victim services. The proposed regulations have been submitted to the Maryland Register for publication.

To ensure proper resources and support are provided to victims of sexual assault, the Committee recommended the following after a sexual assault forensic exam is conducted:

- Patient follow-up should be offered to all victims, preferably within 24 to 48 hours after discharge;
- Referrals to advocacy services, local support resources, and information regarding law enforcement reporting should be provided to victims; and,
- Patient's privacy and confidentiality should be respected and in compliance with state and federal patient privacy laws.

BACKGROUND

In 2017, the General Assembly passed legislation creating the Maryland Sexual Assault Evidence Kit Policy and Funding Committee. The Committee was established to create uniform, 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. The SAEK Committee must submit an annual “report on [its] activities during the prior fiscal year to the Governor and...the General Assembly.”