

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1362

H.P. 940

House of Representatives, April 1, 1991

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative RICHARDS of Hampden.

Cosponsored by Representative DUPLESSIS of Old Town, Representative CATHCART of Orono and Senator McCORMICK of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**Resolve, to Develop Evidence Protocols and Standardized Kits for Cases
of Alleged Gross Sexual Misconduct.**

(EMERGENCY)



Emergency preamble. Whereas, Acts and resolves of the
Legislature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

Whereas, the collection of evidence in cases of alleged
gross sexual misconduct is of vital importance in bringing the
offender to justice; and

Whereas, the State does not currently have a standardized
kit for hospitals to use in collecting evidence for cases of
alleged gross sexual misconduct; and

Whereas, the collection of evidence varies from hospital to
hospital and may seriously damage the ability to successfully
prosecute cases of alleged gross sexual misconduct; and

Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
safety; now, therefore, be it

Sec. 1. Standardized kit. Resolved: That the Department of
Human Services and the Department of Public Safety shall review
evidence protocols for cases of gross sexual misconduct and
propose a standardized kit for the collection of evidence by
hospitals in cases of alleged gross sexual misconduct; and be it
further

Sec. 2. Report. Resolved: That the Department of Human
Services and the Department of Public Safety shall submit their
report and proposal, along with any necessary implementing
legislation, to the Second Regular Session of the 115th
Legislature no later than February 1, 1992.

Emergency clause. In view of the emergency cited in the
preamble, this resolve takes effect when approved.

STATEMENT OF FACT

Currently, a standardized kit for hospitals to use in
collecting evidence for cases of alleged gross sexual misconduct
does not exist. This resolve requires the Department of Human
Services and the Department of Public Safety to propose such a
standardized kit.