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House of Representatives, March 23, 2017

Resolve, To Establish the Committee To Study the Processing of Evidence from Sexual Assault Test Kits

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative DAUGHTRY of Brunswick. Cosponsored by Senator BELLOWS of Kennebec and Representatives: DUNPHY of Old Town, FECTEAU of Biddeford, MADIGAN of Waterville, MOONEN of Portland, O'NEIL of Saco, PIERCE of Falmouth, TIPPING of Orono, WARREN of Hallowell.

1 2 3 4	Sec. 1. The Committee To Study the Processing of Evidence from Sexual Assault Test Kits established. Resolved: That the Committee To Study the Processing of Evidence from Sexual Assault Test Kits, referred to in this resolve as "the committee," is established; and be it further
5 6	Sec. 2. Committee membership. Resolved: That the committee consists of 11 members as follows:
7	1. Four members appointed by the President of the Senate as follows:
8 9	A. Two members of the Senate, including one member from each of the 2 parties holding the largest number of seats in the Senate;
10 11 12	B. One member who is a representative of a statewide organization working to provide victim services to victims of sexual violence and who has experience in accompanying victims during the collection of forensic evidence; and
13 14	C. One member who is a representative of a statewide organization of district attorneys;
15 16	2. Five members appointed by the Speaker of the House of Representatives as follows:
17 18	A. Two members of the House, including one member from each of the 2 parties holding the largest number of seats in the House;
19 20	B. One member who is a representative of a statewide coalition of organizations working to end sexual assault;
21 22	C. One member who is a representative of a statewide organization of chiefs of police; and
23	D. One member who is a representative of a statewide organization of sheriffs;
24	3. The Attorney General or the Attorney General's designee; and
25 26	4. The Director of the Maine State Police Crime Laboratory or the director's designee; and be it further
27 28 29	Sec. 3. Chairs. Resolved: That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the committee; and be it further
30 31 32 33 34 35 36	Sec. 4. Appointments; convening of committee. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the committee. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority

for the committee to meet and conduct its business; and be it further

- 1 **Sec. 5. Duties. Resolved:** That the committee shall study the processing of evidence from sexual assault test kits as follows:
- Receive information on the use of sexual assault test kits and review data from
 state, county and municipal law enforcement agencies and from programs that serve
 victims of sexual assault and advocates for victims of sexual assault;
- 6 2. Determine the current status of the processing of sexual assault test kits and the 7 prevalence of and reasons for kits' not being analyzed; and
- 8 3. Review information on the resources and funding necessary to ensure the timely
 9 processing of sexual assault test kits and to meet the needs of victims of sexual assault;
 10 and be it further
- 11 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide 12 necessary staffing services to the committee; and be it further
- 13 Sec. 7. Report. Resolved: That, no later than December 6, 2017, the committee 14 shall submit a report that includes its findings and recommendations, including suggested 15 legislation, for presentation to the Joint Standing Committee on Criminal Justice and 16 Public Safety for consideration during the Second Regular Session of the 128th 17 Legislature; and be it further
- 18 Sec. 8. Outside funding. Resolved: That the committee may seek funding 19 contributions to partially or fully fund the costs of the study. All funding is subject to 20 approval by the Legislative Council in accordance with its policies.
- 21 SUMMARY

This resolve establishes the Committee To Study the Processing of Evidence from Sexual Assault Test Kits. The resolve provides for an 11-member committee that will study the processing of evidence from sexual assault test kits and make recommendations and submit suggested legislation in a report to the Joint Standing Committee on Criminal Justice and Public Safety by December 6, 2017. The resolve authorizes the committee to seek funding contributions to partially or fully fund the costs of the study but does not make the work of the committee contingent on outside funding.