



**SB0767 – Criminal Procedure – Sexual Assault Evidence Collection Kits - Analysis**  
Presented to Hon. Bobby Zirkin and Members of the Senate Judicial Proceedings Committee  
February 27, 2019 12:00 p.m.

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**POSITION: SUPPORT**

NARAL Pro-Choice Maryland **urges the Judicial Proceedings Committee a favorable report on SB0767 – Criminal Procedure – Sexual Assault Evidence Collection Kits - Analysis**, sponsored by Senator Will Smith. Essential to attaining reproductive justice for survivors of sexual violence is not only assuring such individuals have the autonomy to deciding their best path to healing, but creating a more effective and supportive criminal justice system.

Our organization is an advocate for reproductive health, rights, and justice. We strive to ensure every individual has the freedom to plan for their future and their families. This begins with honoring the sexual and reproductive agency of every individual giving a person ability and the right to decide where, when, how, and with whom they should have sex. Rape and sexual assault is the ultimate violation of that agency. Sexual violence is a widespread issue. It is increasingly prevalent in between intimate partners. The Centers for Disease Control More than 1 in 4 women and more than 1 in 10 men have experienced sexual and physical violence by an intimate partner.<sup>1</sup> Sexual violence from an intimate partner asserts control over a survivor's reproductive autonomy increasing the likelihood of unintended pregnancies and transmission of sexually transmitted diseases. Additionally, mental and physical health can be adversely impacted leading to PTSD, anxiety related to sexual activity with future partners, and preterm birth.<sup>2</sup> Sexual violence and rape limits the reproductive autonomy and freedoms of survivors which can be carried on for years after an assault.

In January 2017, the Maryland Sexual Assault Evidence Kit Policy and Funding Committee in the Attorney General's Office released a report that found approximately 3,700 rape kits were left untested statewide.<sup>3</sup> As of January 2019, that number has increased to over 6,000 untested rape kits in the state.<sup>4</sup> SB0767 would require law enforcement agencies to not only gain consent from survivors to analyze evidence collected from their assault, but also mandate that entities receiving sexual assault evidence collection kits submit these kits for analysis within 30 days, enter evidence collected into (Combined DNA Index System) CODIS, and utilize sexual assault crisis programs and services to support survivors. These efforts honor and support the choices survivors make in engaging with the criminal justice system which is crucial to upholding bodily and reproductive autonomy of the survivor.

SB0767 ensures that victims of sexual violence have fewer hurdles in the processes of seeking justice while being supported by their community. For these reasons, **NARAL Pro-Choice Maryland urges a favorable committee report on SB0767**. Thank you for your time and consideration.

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<sup>1</sup> Centers for Disease Control (2014). *National Data on Intimate Partner Violence, Sexual Violence, and Stalking*. <https://www.cdc.gov/violenceprevention/pdf/nisvs-fact-sheet-2014.pdf>

<sup>2</sup> Chisholm, C., Bullock, L., Ferguson II, J. (August 2017) Intimate partner violence and pregnancy: epidemiology and impact. *American Journal of Obstetrics and Gynecology*. 217(2) p. 141-144.

<sup>3</sup> Frosh, B. (January 1, 2017). *Statewide Accounting of Untested Sexual Assault Evidence Kits in the State of Maryland*. Report of the Office of the Attorney General. [http://www.marylandattorneygeneral.gov/Reports/Rape\\_Kit\\_Report.pdf](http://www.marylandattorneygeneral.gov/Reports/Rape_Kit_Report.pdf)

<sup>4</sup> Rentz, C. (December 3, 2018) "Thousands More Untested Rape Kits Revealed in Maryland as Authorities Ramp up Efforts to Process Evidence." *The Baltimore Sun*. <http://www.baltimoresun.com/news/maryland/crime/bs-mduntested-rape-kits-20181107-story.html>