

WRITTEN TESTIMONY IN SUPPORT OF SENATE BILL 349,
DISPOSAL OF RAPE KIT EVIDENCE,
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FOR BALTIMORE COUNTY

I write in support of Senate Bill 349, Disposal of Rape Kit Evidence, as a common sense advance in the way law enforcement all over the State handles rape kits.

This past summer in Baltimore County a series of media reports were critical of some of the practices law enforcement engaged in regarding sexual assault cases.

While I do not believe any grave injustices took place, a number of the criticisms spurred us to do better. One criticism was the destruction of rape kits in cases that were not going forward with criminal prosecution. In many of these cases kits were destroyed after one year.

The majority of these kits are in Jane Doe cases. Under the law a victim of a sexual assault has a right to a SAFE exam and can choose not to involve the police. These kits are completed. The victim is given the medical results of the exam and the kit is transferred to the police department should the victim change her mind and choose to contact the police.

The kit could then be analyzed if the results would be relevant to the future prosecution in the case.

Because we were not keeping our kits for a lengthy period, we decided we could do better and changed the policy to keeping them for 20 years. While Baltimore County stands behind this policy it seems only fair and reasonable to

put this policy into law and standardize it through the State so all victims of sexual assaults have potential evidence saved.

Modern day rape kits do not require refrigeration. They are typically the size of an 8x10 envelope and will not require a great deal of storage space in property rooms.

A 20 year hold with notice to the victim before destruction is a simple common sense approach to better serve the victims of sexual assault.

Please give a favorable report to Senate Bill 349.