



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

March 03, 2020

Honorable Chairman, Luke Clippinger

Vice Chair, Vanessa E. Atterbeary

Members of the Judiciary Committee

Re: HB 1096 - Evidence - Chain of Custody - DNA Profile

I am pleased to reintroduce HB 1096 previously known as HB372. This bill creates a statutory bypass which would allow prosecutors to more readily admit DNA analyst reports as evidence at trial. The bill also permits prosecutors to introduce DNA evidence without calling numerous live witnesses, solely to establish the chain of custody. The State may now establish a chain of custody by providing a report signed by an analyst or chemist attesting to the proper transfer and handling of the DNA material. This bill does not impede upon a defendant's ability to introduce evidence that supports or contradicts the DNA material.

In the Office of the Attorney General's 2017 report, "Statewide Accounting of Untested Sexual Assault Evidence Kits in the State of Maryland," the Attorney General noted that someone in the United States is sexually assaulted "every 22 minutes" (Frosh, 2017). What's worse, our current evidentiary process presents unnecessary obstacles for prosecutors working to end the issue of backlogged rape test kits. The bill before the committee today will help clear the backlog of sexual assault kits in the state of Maryland.

HB1096 was drafted in response to the recommendations of "*The Sexual Assault Evidence Kit Policy and Funding Committee*". Members of the committee, Scott Schellenberger, Baltimore County State's Attorney, Carrie Williams, Office of the Attorney General & SEAK Committee

and Lisae C. Jordan from the Maryland Coalition for Sexual Assault, are present today to speak in favor of this bill.

House Bill 1096 recognizes the emotional strain on victims and seeks to provide relief. This proposed legislation protects the interest of both the defendant and crime victims, and preserves the State's public safety resources. This bill will also ensure that the judicial system continues to run efficiently. I strongly urge for a **favorable** report of HB1096.

Sincerely,

A handwritten signature in cursive script that reads "Wanika Fisher". The ink is dark and the signature is centered below the word "Sincerely,".

Wanika B. Fisher Esq.
Maryland State Delegate – District 47B