



Maryland  
Hospital Association

March 4, 2020

To: The Honorable Luke Clippinger, Chairman  
House Judiciary Committee

From: Jennifer Witten, Vice President, Government Affairs  
Maryland Hospital Association

Re: Letter of Support-House Bill 1096-Evidence-Chain of Custody-DNA Profile

Dear Chairman Clippinger:

On behalf of the Maryland Hospital Association's (MHA) 61 member hospitals and health systems, we appreciate the opportunity to comment on House Bill 1096. The Maryland Hospital Association has served as a member of the Attorney General's [Maryland Sexual Assault Evidence Kit & Funding Committee \(SAEK Committee\)](#) since the committee's establishment. Composed of a broad range of stakeholders, including Maryland State Police, the Governor's Office of Crime Control & Prevention, victim advocates, state's attorney's and forensic nurses. , The SAEK Committee recommended enactment of a "notice and demand" statute in 2019.<sup>i</sup> This legislation would allow the state to establish chain of custody by providing documentation logs, instead of requiring a witness, such as a lab technician, to testify in court. Maryland's hospitals support this effort to ensure that the court process is as efficient as possible.

In Maryland, sexual assault forensic exams (SAFEs) are performed by forensic nurse examiners, who are specially trained registered nurses. In addition to trauma-informed medical training, forensic nurse examiners are taught to collect evidence and follow strict chain of custody protocols. There are 23 hospital-based SAFE programs throughout the state, each with a protocol in place to ensure that the chain of custody is maintained to preserve the integrity of the evidence.

This legislation therefore streamlines the judicial process and at the same time, continues to allow defendants the opportunity to request that a lab technician or other similar analyst testify in person if requested.

For these reasons, we urge a *favorable report*.

For more information, please contact:  
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<sup>i</sup> Maryland Sexual Assault Evidence Kit Policy & Funding Committee. (January 2019). *Annual Report*.  
[http://www.marylandattorneygeneral.gov/Pages/Groups/2019\\_SAEK\\_Committee\\_Annual\\_Report.pdf](http://www.marylandattorneygeneral.gov/Pages/Groups/2019_SAEK_Committee_Annual_Report.pdf)