

BILL NO: Senate Bill 949  
TITLE: Consumer Protection – Self-Administered Sexual Assault Evidence Collection Kits  
COMMITTEE: Judicial Proceedings  
HEARING DATE: February 27, 2024  
POSITION: **SUPPORT WITH AMENDMENTS**

---

Senate Bill 949 would prohibit a person from selling, offering for sale, or distributing a self-administered sexual assault evidence kit. The consumer protection division of the Attorney General's Office would be charged with enforcing these provisions and any civil penalties recovered would be used for Forensic Nurse Examiner Training. If a self-administered kit is used by a survivor, SB949 makes it clear that information about this prohibition may not be presented in a criminal or civil proceeding. The Women's Law Center of Maryland (WLC) supports SB949 with amendments we understand are being submitted to strengthen protections for survivors because we strongly believe that predatory private for-profit entities are seeking to take advantage of people who are experiencing trauma.

Sexual assault forensic exams are available to survivors at designated hospitals in Maryland. These exams are performed by expert, trained forensic nurse examiners and are *free*. Additionally, as reported by the Maryland Attorney General's Sexual Assault Forensic Evidence Kit Policy and Funding Committee, the self-administered kits raise significant concerns regarding the admissibility in court, the privacy of both victim/survivors and alleged perpetrators, and the ability of survivors to access all the advocacy and medical care, including follow-up care, needed after an incident of sexual assault. Prohibiting their sale in Maryland will protect survivors from the predatory practice of selling these "DIY" kits giving the false impression that they will be admitted into court in all instances and are as comprehensive as the free examinations that exist in Maryland.

As such, The Women's Law Center of Maryland urges a favorable report on SB 949.

***The Women's Law Center of Maryland is a non-profit legal services organization whose mission is to ensure the physical safety, economic security, and bodily autonomy of women in Maryland. Our mission is advanced through direct legal services, information and referral hotlines, and statewide advocacy.***