

MA 18P 21091000000000000019
NEW

State of Maine



Master Agreement

Effective Date: 09/10/21

Expiration Date: 08/30/24

Master Agreement Description: Victim Sexual Assault Kits

Buyer Information

Justin Franzose 207-624-7337 ext. justin.franzose@maine.gov

Issuer Information

Amy Gower 207-624-7207 ext. amy.gower@maine.gov

Requestor Information

Zabarsky Michael 207-624-7100 ext. Michael.H.Zabarsky@Maine.gov

Agreement Reporting Categories

Authorized Departments

ALL

Vendor Information

Vendor Line #: 1

Vendor ID

VC0000116650

Vendor Name

SIRCHIE ACQUISITION CO LLC

Alias/DBA

SIRCHIE FINGERPRINT LABS

Vendor Address Information

100 HUNTER PL

YOUNGSVILLE, NC 27596

US

Vendor Contact Information

Sue Jennings
800-356-7311 ext. 654
sjennings@sirchie.com

Commodity Information

Vendor Line #: 1

Vendor Name: SIRCHIE ACQUISITION CO LLC

Commodity Line #: 1

Commodity Code: 87515

Commodity Description: Victim Sexual Assault Kit -

Commodity Specifications:

Commodity Extended Description: AS PER THE SPECIFICATIONS ATTACHED AND MADE PART OF THIS MA.

Quantity	UOM	Unit Price
250.00000	EA	0.000000

Delivery Days	Free On Board
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Contract Amount	Service Start Date	Service End Date
0.00		

Catalog Name	Discount	Discount Start Date	Discount End Date
	0.0000 %	09/10/21	08/30/24

Please see authorized signatures displayed on the next page

Each signatory below represents that the person has the requisite authority to enter into this Contract. The parties sign and cause this Contract to be executed.

State of Maine - Department of Administrative and Financial Services

DocuSigned by:
Jaime Schorr 9/16/2021
6D6437754DD0459

Signature Date

Jaime C. Schorr, Chief Procurement Officer

Vendor

DocuSigned by:
Dan O'Neil 9/23/2021
C19F5BD010694E3...

Signature Date

Dan O'Neil bid specialist

Print Representative Name and Title

RIDERS

<input checked="" type="checkbox"/>	The following riders are hereby incorporated into this Contract and made part of it by reference: (check all that apply)
<input checked="" type="checkbox"/>	Rider A – Scope of Work and/or Specifications
<input checked="" type="checkbox"/>	Rider B – Terms and Conditions
<input type="checkbox"/>	Rider C - Exceptions
<input type="checkbox"/>	Bid Cover Page and Debarment Form
<input checked="" type="checkbox"/>	Debarment, Performance, and Non-Collusion Certification
<input checked="" type="checkbox"/>	Price sheet (attach excel spreadsheet to post on website)
<input checked="" type="checkbox"/>	Other – Included at Department's Discretion

RIDER A
Scope of Work and/or Specifications

The purpose of this master agreement is to procure victim sexual assault testing kits on an as needed basis, per the specifications attached and hereby incorporated into this contract. All delivery orders will be subject to the specifications, terms, conditions, and prices of this agreement.

**RIDER B
TERMS AND CONDITIONS**

- 1. DEFINITIONS:** The following definitions are applicable to these standard terms and conditions:
 - a. The term “Buyer” or “State” shall refer to the Government of the State of Maine or a person representing the Government of the State of Maine.
 - b. The term “Department” or “DAFS” shall refer to the State of Maine Department of Administrative and Financial Services.
 - c. The term “Bureau” or “BGS” shall refer to the State of Maine Bureau of General Services.
 - d. The term “Division” shall refer to the State of Maine Division of Purchases.
 - e. The term “Contractor”, “Vendor”, or “Provider” shall refer to the organization that is providing goods and/or services through the contract to which these standard terms and conditions have been attached and incorporated.
 - f. The term “Contract” or “Agreement” shall refer to the contract document to which these standard terms and conditions apply, taking the format of a Buyer Purchase Order (BPO) or Master Agreement (MA) or other contractual document that is mutually agreed upon between the State and the Contractor.

- 2. WARRANTY:** The Contractor warrants the following:
 - a. That all goods and services to be supplied by it under this Contract are fit and sufficient for the purpose intended, and
 - b. That all goods and services covered by this Contract will conform to the specifications, drawing samples, symbols or other description specified by the Division, and
 - c. That such articles are merchantable, good quality, and free from defects whether patent or latent in material and workmanship, and
 - d. That all workmanship, materials, and articles to be provided are of the best grade and quality, and
 - e. That it has good and clear title to all articles to be supplied by it and the same are free and clear from all liens, encumbrances and security interest.

Neither the final certificate of payment nor any provision herein, nor partial nor entire use of the articles provided shall constitute an acceptance of work not done in accordance with this agreement or relieve the Contractor liability in respect of any warranties or responsibility for faulty material or workmanship. The Contractor shall remedy any defects in the work and pay any damage to other work resulting therefrom, which shall appear within one year from the date of final acceptance of the work provided hereunder. The Division of Purchases shall give written notice of observed defects with reasonable promptness.

3. TAXES: Contractor agrees that, unless otherwise indicated in the order, the prices herein do not include federal, state, or local sales or use tax from which an exemption is available for purposes of this order. Contractor agrees to accept and use tax exemption certificates when supplied by the Division as applicable. In case it shall ever be determined that any tax included in the prices herein was not required to be paid by Contractor, Contractor agrees to notify the Division and to make prompt application for the refund thereof, to take all proper steps to procure the same and when received to pay the same to the Division.

4. PACKING AND SHIPMENT: Deliveries shall be made as specified without charge for boxing, carting, or storage, unless otherwise specified. Articles shall be suitably packed to secure lowest transportation cost and to conform to the requirements of common carriers and any applicable specifications. Order numbers and symbols must be plainly marked on all invoices, packages, bills of lading, and shipping orders. Bill of lading should accompany each invoice. Count or weight shall be final and conclusive on shipments not accompanied by packing lists.

5. DELIVERY: Delivery should be strictly in accordance with delivery schedule. If Contractor's deliveries fail to meet such schedule, the Division, without limiting its other remedies, may direct expedited routing and the difference between the expedited routing and the order routing costs shall be paid by the Contractor. Articles fabricated beyond the Division's releases are at Contractor's risk. Contractor shall not make material commitments or production arrangements in excess of the amount or in advance of the time necessary to meet delivery schedule, and, unless otherwise specified herein, no deliveries shall be made in advance of the Division's delivery schedule. Neither party shall be liable for excess costs of deliveries or defaults due to the causes beyond its control and without its fault or negligence, provided, however, that when the Contractor has reason to believe that the deliveries will not be made as scheduled, written notice setting forth the cause of the anticipated delay will be given immediately to the Division. If the Contractor's delay or default is caused by the delay or default of a subcontractor, such delay or default shall be excusable only if it arose out of causes beyond the control of both Contractor and subcontractor and without fault of negligence or either of them and the articles or services to be furnished were not obtainable from other sources in sufficient time to permit Contractor to meet the required delivery schedule.

6. FORCE MAJEURE: The State may, at its discretion, excuse the performance of an obligation by a party under this Agreement in the event that performance of that obligation by that party is prevented by an act of God, act of war, riot, fire, explosion, flood or other catastrophe, sabotage, severe shortage of fuel, power or raw materials, change in law, court order, national defense requirement, or strike or labor dispute, provided that any such event and the delay caused thereby is beyond the control of, and could not reasonably be avoided by, that party. The State may, at its discretion, extend the time period for performance of the obligation excused under this section by the period of the excused delay together with a reasonable period to reinstate compliance with the terms of this Agreement.

7. INSPECTION: All articles and work will be subject to final inspection and approval after delivery, notwithstanding prior payment, it being expressly agreed that payment will not constitute final acceptance. The Division of Purchases, at its option, may either reject any article or work not in conformity with the requirements and terms of this order, or re-work the same at Contractor's expense. The Division may reject the entire shipment where it consists of a quantity of similar articles and sample inspection discloses that ten (10%) percent of the articles inspected are defective, unless Contractor agrees to reimburse the Division for the cost of a complete inspection of the articles included in such shipment. Rejected material may be returned at Contractor's risk and expense at the full invoice price plus applicable incoming transportation charges, if any. No replacement of defective articles or work shall be made unless specified by the Division.

8. INVOICE: The original and duplicate invoices covering each and every shipment made against this order showing Contract number, Vendor number, and other essential particulars, must be forwarded promptly to the ordering agency concerned by the Vendor to whom the order is issued. Delays in receiving invoice and also errors and omissions on statements will be considered just cause for withholding settlement without losing discount privileges. All accounts are to be carried in the name of the agency or institution receiving the goods, and not in the name of the Division of Purchases.

9. ALTERATIONS: The Division reserves the right to increase or decrease all or any portion of the work and the articles required by the bidding documents or this agreement, or to eliminate all or any portion of such work or articles or to change delivery date hereon without invalidating this Agreement. All such alterations shall be in writing. If any such alterations are made, the contract amount or amounts shall be adjusted accordingly. In no event shall Contractor fail or refuse to continue the performance of the work in providing of articles under this Agreement because of the inability of the parties to agree on an adjustment or adjustments.

10. TERMINATION: The Division may terminate the whole or any part of this Agreement in any one of the following circumstances:

- a. The Contractor fails to make delivery of articles, or to perform services within the time or times specified herein, or
- b. If Contractor fails to deliver specified materials or services, or
- c. If Contractor fails to perform any of the provisions of this Agreement, or
- d. If Contractor so fails to make progress as to endanger the performance of this Agreement in accordance with its terms, or
- e. If Contractor is adjudged bankrupt, or if it makes a general assignment for the benefit of its creditors or if a receiver is appointed because of its insolvency, or
- f. Whenever for any reason the State shall determine that such termination is in the best interest of the State to do so.

In the event that the Division terminates this Agreement in whole or in part, pursuant to this paragraph with the exception of 8(f), the Division may procure (articles and services similar to those so terminated) upon such terms and in such manner as the Division deems appropriate, and Contractor shall be liable to the Division for any excess cost of such similar articles or services.

11. NON-APPROPRIATION: Notwithstanding any other provision of this Agreement, if the State does not receive sufficient funds to fund this Agreement and other obligations of the State, if funds are de-appropriated, or if the State does not receive legal authority to expend funds from the Maine State Legislature or Maine courts, then the State is not obligated to make payment under this Agreement.

12. COMPLIANCE WITH APPLICABLE LAWS: Contractor agrees that, in the performance hereof, it will comply with applicable laws, including, but not limited to statutes, rules, regulations or orders of the United States Government or of any state or political subdivision(s) thereof, and the same shall be deemed incorporated herein by reference. Awarding agency requirements and regulations pertaining to copyrights and rights in data. Access by the grantee, the subgrantee, the Federal grantor agency, the Comptroller General of the United

States, or any of their duly authorized representatives to any books, documents, papers and records of the Contractor which are directly pertinent to that specific contract for the purpose of making audit, examination, excerpts, and transcriptions. Retention of all required records for three years after grantees or subgrantees make final payments and all other pending matters are closed. Compliance with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857(h), section 508 of the Clean Water Act, (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15). (Contracts, subcontracts, and subgrants of amounts in excess of \$100,000). Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with Energy Policy and Conservation Act (Pub. L. 94-163, 89 Stat. 871).

13. INTERPRETATION: This Agreement shall be governed by the laws of the State of Maine as to interpretation and performance.

14. DISPUTES: The Division will decide any and all questions which may arise as to the quality and acceptability of articles provided and installation of such articles, and as to the manner of performance and rate of progress under this Contract. The Division will decide all questions, which may arise as to the interpretation of the terms of this Agreement and the fulfillment of this Agreement on the part of the Contractor.

15. ASSIGNMENT: None of the sums due or to become due nor any of the work to be performed under this order shall be assigned nor shall Contractor subcontract for completed or substantially completed articles called for by this order without the Division's prior written consent. No subcontract or transfer of agreement shall in any case release the Contractor of its obligations and liabilities under this Agreement.

16. STATE HELD HARMLESS: The Contractor agrees to indemnify, defend, and save harmless the State, its officers, agents, and employees from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, material men, laborers and other persons, firm or corporation furnishing or supplying work, services, articles, or supplies in connection with the performance of this Agreement, and from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by the Contractor in the performance of this Agreement.

17. SOLICITATION: The Contractor warrants that it has not employed or written any company or person, other than a bona fide employee working solely for the Contractor to solicit or secure this Agreement, and it has not paid, or agreed to pay any company, or person, other than a bona fide employee working solely for the Contractor any fee, commission, percentage, brokerage fee, gifts, or any other consideration, contingent upon, or resulting from the award for making this Agreement. For breach or violation of this warranty, the Division shall have the absolute right to annul this agreement or, in its discretion, to deduct from the Agreement price or consideration, or otherwise recover the full amount of such fee, commission, percentage, brokerage fee, gifts, or contingent fee.

18. WAIVER: The failure of the Division to insist, in any one or more instances, upon the performance of any of the terms, covenants, or conditions of this order or to exercise any right hereunder, shall not be construed as a waiver or relinquishment of the future performance of any such term, covenant, or condition or the future exercise of such right, but the obligation of Contractor with respect to such future performance shall continue in full force and effect.

19. MATERIAL SAFETY: All manufacturers, importers, suppliers, or distributors of hazardous chemicals doing business in this State must provide a copy of the current Material Safety Data Sheet (MSDS) for any hazardous chemical to their direct purchasers of that chemical.

20. COMPETITION: By accepting this Contract, Contractor agrees that no collusion or other restraint of free competitive bidding, either directly or indirectly, has occurred in connection with this award by the Division of Purchases.

21. INTEGRATION: All terms of this Contract are to be interpreted in such a way as to be consistent at all times with this Standard Terms and Conditions document, and this document shall take precedence over any other terms, conditions, or provisions incorporated into the Contract.

RIDER C
EXCEPTIONS

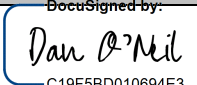
NA

Debarment, Performance, and Non-Collusion Certification

By signing this document, I certify to the best of my knowledge and belief that the aforementioned organization, its principals, and any subcontractors named in this proposal:

- a. Are not presently debarred, suspended, proposed for debarment, and declared ineligible or voluntarily excluded from bidding or working on contracts issued by any governmental agency.*
 - b. Have not within three years of submitting the proposal for this contract been convicted of or had a civil judgment rendered against them for:*
 - i. fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state or local government transaction or contract.*
 - ii. violating Federal or State antitrust statutes or committing embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;*
 - iii. are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and*
 - iv. have not within a three (3) year period preceding this proposal had one or more federal, state or local government transactions terminated for cause or default.*
 - c. Have not entered into a prior understanding, agreement, or connection with any corporation, firm, or person submitting a response for the same materials, supplies, equipment, or services and this proposal is in all respects fair and without collusion or fraud. The above-mentioned entities understand and agree that collusive bidding is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards.*
- Failure to provide this certification may result in the disqualification of the Bidder's proposal, at the discretion of the Department.**

To the best of my knowledge all information provided in the enclosed proposal, both programmatic and financial, is complete and accurate at the time of submission.

Name: Dan o'Neil	Title: bid specialist
Authorized Signature:  <small>DocuSigned by: C19F5BD010694E3...</small>	Date: 9/23/2021

2021 Sexual Assault Evidence Collection Kit Construction

- a. **Tracking number.** The provider will assign each kit a unique tracking number. The number will consist of a minimum of 12 digits. The tracking number will be printed on a minimum of eighty approximately ½” x 2” white labels. A full printed sheet of labels will be provided. One of these labels will be attached to the lower portion of the top of the outer container of the evidence collection kit. The remaining tracking labels will be placed inside the kit. The kit tracking numbers will begin with the number **(TBD)**
- b. **Outer container.** The provider will manufacture one outer container for the evidence collection kit. The container shall consist of one two-piece white box which will be approximately 9” x 11½” x 3” in dimension, but no larger than necessary to accommodate the components. The top of this container will be marked as illustrated in **Appendix A**. The bottom of the kit will have an attached outer envelope, constructed of plastic or other water resistant material, which will adhere to the kit when frozen. The envelope will be marked “Crime Laboratory and Law Enforcement copies of forms”. On each side and bottom of the container will be a marking to denote where the evidence tape should be placed. This container will include all evidence collection materials as specified.
- c. **Instructions.** The provider will include instructions which will be printed on both sides of 8½” x 11” white paper. The instructions will appear as illustrated in **Appendix B (Initial), C (Adult), D (Pre-pubertal Children), and E (Final)**, in that order.
- d. **Authorization for Collection of Evidence and Notice Regarding Storage.** The provider will print this consent form on NCR paper no larger than 8½” x 11”. The form will be designated “Medical Facility” and will appear as illustrated in **Appendix F**.
- e. **Patient’s Assault Information Form.** The provider will print this form on NCR paper no larger than 8½” x 11”. The form will consist of three copies with the top copy designated “Medical Facility”, the middle copy designated “Crime Laboratory”, and the bottom copy designated “Law Enforcement Agency”. The form will appear as illustrated in **Appendix G**.
- f. **Evidence Collection Inventory Form.** The provider will print this form on NCR paper no larger than 8½” x 11”. The form will consist of three copies with the top copy designated “Medical Facility”, the middle copy designated “Crime Laboratory”, and the bottom copy designated “Law Enforcement Agency”. The form will appear as illustrated in **Appendix H**.
- g. **Victims’ Compensation Board Claim Form.** The provider will print this form on NCR paper no larger than 11” x 17”. The form will be printed and folded in half lengthways so the form is in book style. The form will consist of two white copies with the top copy designated “Victims’ Compensation Board” and the bottom copy designated “Medical Facility”. The form will appear as illustrated in **Appendix I**. The instructions (**Appendix J**) will be printed on the back of the bottom copy so that when the paper is folded, the instructions are the front and back pages of the book and the form is on the inside.
- h. **Patient information card.** The provider will print a white, approximately 3½” x 5½” card. The card will appear as illustrated in **Appendix K**.
- i. **Disposable drying rack.** The provider will include a collapsible, disposable drying rack for the drying of swabs. The rack will be constructed of cardboard or other sturdy material. The rack must be constructed in such a manner and / or with materials that will not collapse in use. The rack will have holes to accommodate all swabs with sufficient room separating the swabs and will have spaces labeled with the appropriate swab type. The rack will appear similar to that illustrated in **Appendix L**.

- j. Labels.** The provider will print two labels to affix to the outer container of the kit: one orange “Biohazard” label and one blue “Minor” label. The labels will measure approximately 1” x 1½”.
- k. Evidence tape.** The provider will include two red evidence labels measuring approximately 1” x 6” for sealing the kit on two sides and one roll of non-tearable evidence tape measuring approximately 1½” x 15”, or equivalent sections of tape to seal the paper bag and to span from one side of the kit to the other to seal the back.
- l. Nail clippers.** The provider will include one pair of large fingernail clippers.
- m. Victim’s Compensation brochure.** One brochure will be placed inside each kit. The brochure will be provided by the laboratory prior to kit production.
- n. MECASA business card.** One card will be placed inside each kit. The card will be provided by the laboratory prior to kit production.

Packing / shipping / delivery:

The kits will be packed in a shipping container in numerical order. The numbers of the kits will be marked on the outside of the shipping container. The kits will be delivered no more than six weeks after the artwork has been finalized.

Evidence collection steps:

Each step will consist of one envelope or bag marked with the step number and description of contents in bold printing as illustrated in **Appendix M**, unless otherwise indicated. The white envelopes will measure approximately 7½ ” x 5” and be self-sealing. The swab boxes will be marked with the appropriate step and contents description, as illustrated in **Appendix N** and **Appendix O**. The swab boxes will have vent holes. The contents of each envelope or bag are described below:

STEP 1: ORAL SWABS

Two sterile packaged cotton tipped swabs and one swab box.

STEP 2: KNOWN DNA COLLECTION

One sterile swab with a plastic protective aerated cap such as a Cap-Shure™ DNA Collection Swab or equivalent.

STEP 3: FINGERNAIL CLIPPINGS / SWABS

Two sterile packaged cotton tipped swabs, one swab box, and one paper bindle.

STEP 4: KNOWN HEAD HAIR SAMPLE

One paper bindle.

STEP 5: DEBRIS COLLECTION

One paper bindle. Include front and back human illustrations on the envelope

STEP 6: DRIED SECRETIONS / MISCELLANEOUS SWABS

Four sterile packaged cotton tipped swabs and four swab boxes. Include front and back human illustrations on the envelope.

STEP 7: PUBIC COMBING

One white comb measuring approximately 1¼” x 5” and one folded paper large enough to secure the comb and any combings.

STEP 8: KNOWN PUBIC HAIR SAMPLE

One paper bundle.

STEP 9: GENITAL / PENILE SWABS

Two sterile packaged cotton tipped swabs and one swab box.

STEP 10: ANAL SWABS

Two sterile packaged cotton tipped swabs and one swab box.

STEP 11: VAGINAL / CERVICAL SWABS

Two sterile packaged cotton tipped swabs and one swab box.

STEP 12: MISCELLANEOUS EVIDENCE

One glassine lined paper bag (approx. 5" x 10").

STEP 13: URINE SPECIMEN

Collapsible box which can be constructed to accommodate a urine specimen container measuring 4" x 3", one ziplock bag large enough to accommodate the container, and two stickers (approx. 1" x 1½"): orange ("Biohazard") and yellow ("Urine Specimen"). The box will appear similar to that illustrated in **Appendix P**.

STEP 14: BLOOD SPECIMEN

Collapsible box which can be constructed to accommodate up to four blood tubes with sufficient packaging to protect the tubes and two stickers (approx. 1" x 1½"): orange ("Biohazard") and red ("Blood Specimen"). The box will appear similar to that illustrated in **Appendix P**.

OUTER UPPER CLOTHING

One flat merchandise bag in kraft paper, approx. 18" wide and 24" deep

OUTER LOWER CLOTHING

One flat merchandise bag in kraft paper, approx. 18" wide and 24" deep

INNER UPPER CLOTHING

One flat merchandise bag in either white paper or kraft paper, approx. 6" wide and 12" deep

INNER LOWER CLOTHING

One flat merchandise bag in either white paper or kraft paper, approx. 6" wide and 12" deep

MISCELLANEOUS CLOTHING

Two flat merchandise bags in kraft paper, approx. 18" wide and 24" deep, with additional space on the labels for an examiner to describe the contents.

FOREIGN MATERIAL COLLECTION

One flat paper bag (approx. 12" x 18") and one sheet of white paper (approx. 48" x 48").

TRANSPORT BAG

One handled paper bag in either sturdy white paper or kraft paper, at least 16" x 6" x 19". A larger bag is preferred but must be able to comfortably fit in the kit.

AFFIX
BIOHAZARD
LABEL HERE
AFTER
SPECIMEN
COLLECTION

MAINE STATE SEX CRIMES EVIDENCE COLLECTION KIT

AFFIX
MINOR LABEL
HERE IF
PATIENT IS
UNDER THE
AGE OF 18

PERISHABLE EVIDENCE

PLACE IN SECURED AREA

FOR MEDICAL FACILITY PERSONNEL

PATIENT'S NAME: _____
(Only if Reporting) (Please Print)

FACILITY: _____
(Please Print) (Phone Number/Extension)

HEALTH CARE PROVIDER: _____
 SAFE / SAFE-IN-TRAINING (Please Print) (Title)

HEALTH CARE PROVIDER: _____
(Please Print) (Title)

DATE OF PREPARATION: _____

CHAIN OF CUSTODY

RELINQUISHED BY: _____ AGENCY: _____

DATE: _____ TIME: _____ am/pm

RECEIVED BY: _____ AGENCY: _____

DATE: _____ TIME: _____ am/pm

RELINQUISHED BY: _____ AGENCY: _____

DATE: _____ TIME: _____ am/pm

RECEIVED BY: _____ AGENCY: _____

DATE: _____ TIME: _____ am/pm

AFFIX TRACKING LABEL HERE

INITIAL INSTRUCTIONS

This kit is designed to assist the examining health care provider in the collection and preservation of evidentiary specimens from alleged victims of sexual assault for analysis by the appropriate laboratory. The health care provider should use best judgment if deviation from the instructions is necessary. Separate instructions are provided for evidence collection on pre-pubertal children.

When a forensic examination is performed, it is vital that the medical examination and evidence collection procedures be integrated at all times in order to minimize trauma to the patient. **The patient may decline any evidence collection step and has the right to stop the examination at any point during the process.**

If the examiner suspects that drugs may have been used to facilitate the alleged assault, the patient should be asked for consent to have a blood and / or a urine sample collected for identification of "rape drugs." Such suspicion may be based on observations or report of drowsiness, memory loss, impaired motor skills, or other symptoms consistent with drug or alcohol ingestion. Due to the time-sensitive nature of these sample types, this sample collection should be given priority. If the ingestion is believed to have occurred within 96 hours prior to the hospital examination, collect both urine and blood specimens. After 96 hours, no urine or blood specimens are necessary. Prior to collecting the urine sample, or if the patient should need to use the restroom at any point during the examination, first collect genital / penile swabs, anal swabs, vaginal / cervical swabs, pubic combings, or any other evidence that may be lost during urination and / or defecation.

When collecting evidence with swabs, make sure to rotate the swabs to ensure that all areas of the swab head come into contact with the surface being swabbed. Swabs must be air dried prior to packaging, with the exception of the Known DNA Collection, which may be packaged immediately using the plastic aerated cap provided. Air drying takes at least 1 hour. Do not use heat. A disposable drying rack is provided to facilitate the drying process. Samples should be dried completely. The time for this process will vary depending on the sample type; however, minimal use of sterile distilled water will improve drying time.

Do not place specimens collected for the medical facility in this kit.

If any of the components have expired prior to the use of the kit, replace with equivalent items from facility stock.

For tracking purposes, each kit is assigned a unique tracking number and contains a group of labels printed with that number. One label should go on each component of the kit for chain of custody purposes. Do not identify any component of the kit with the patient's name; use only the tracking labels provided. The patient's name should be written in the space provided on the outer kit container ONLY if the patient has reported the alleged offense to law enforcement (or plans to file a report) and has chosen to not have an "anonymous" kit done.

The health care provider should wear disposable gloves at all times during the examination to minimize the possibility of contamination. Gloves need to be changed and disposed of appropriately throughout the examination to avoid any cross contamination. The use of face masks is strongly advised to further prevent contamination.

If you have any questions concerning the use of this kit, contact the Maine State Police Crime Laboratory in Augusta at 624-7100. Questions concerning the collection of specimens for drug or alcohol testing should be referred to the Health and Environmental Testing Laboratory (HETL) in Augusta at 287-2727.

The evidence collected in this evidence collection kit will only be examined after the patient files a report with law enforcement. If the patient decides not to report, or is unsure whether to file a report, local law enforcement will hold the kit for up to 90 days. Please make the patient aware of the potential deleterious effects of time on specimens collected for detecting drugs and / or alcohol. If the samples are not stored appropriately or examined immediately, scientifically accurate results may not be obtained.

FORMS:

- ✓ Complete the authorization form for collection of evidence and have the patient sign it. The form should be retained by the medical facility and included in the patient's medical records.
- ✓ Fill out all information requested on the Patient's Assault Information Form and the Evidence Collection Inventory Form. One copy should go to each of the following: medical facility, law enforcement officer, crime laboratory.

INITIAL INSTRUCTIONS

- ✓ A Victims' Compensation Board Gross Sexual Assault Forensic Examination Claim Form is included in this kit. This form must be completed and submitted to the Victims' Compensation Board if compensation is desired. The original should be mailed to the Victims' Compensation Board at the address provided on the form and a copy retained for the medical facility.

Appendix B

ADULT INSTRUCTIONS**PLEASE NOTE:**

- ✓ Unless otherwise noted, **do not moisten** swabs prior to sample collection. If moistening is required, use only sterile / distilled water.
- ✓ All swabs should be air dried prior to packaging, with the exception of the Known DNA Collection swab, which may be packaged immediately using the plastic aerated cap provided.
- ✓ Unless otherwise noted, place the evidence collection specimens back into the envelope or bag from which they came.
- ✓ All envelopes and bags containing evidence should be sealed. Attach a tracking label to the outside of each envelope or bag and fill out all information requested.

CLOTHING COLLECTION:

- ✓ Clothing may be removed and collected at any point during the examination process. When the patient is ready to disrobe, use the paper sheet from the Foreign Material Collection bag to collect any foreign material by placing the sheet on the floor over a clean facility bed sheet and instructing the patient to stand on it while removing each item of clothing.
- ✓ Collect each clothing item as it is removed and place it in the appropriate clothing bag. Do not shake out the clothing or cut through any existing holes, rips, or stains in the clothing. Air dry any wet or damp clothing if secure facilities are available; otherwise, notify law enforcement personnel that the clothing is wet or damp.
- ✓ Refold the Foreign Material Collection sheet in such a manner as to retain any material present and place it in the Foreign Material Collection bag.
- ✓ If the patient changed his or her clothing after the assault, notify law enforcement personnel so the clothing worn at the time of the assault may be collected.

Step 1. ORAL SWABS

Carefully swab the buccal area and gum line using the two swabs simultaneously. Be sure to collect the swabs from the upper and lower buccal areas and the gum line, rotating the swabs during collection.

Allow the swabs to air dry, then place the swabs in the swab box and check "Oral".

Step 2. KNOWN DNA COLLECTION

NOTE: Have the patient rinse his / her mouth with water prior to completing this step.

Remove the components from the envelope. Open the swab protector and slide the protector back to expose the swab head.

Using the swab, vigorously swab the inside of both of the patient's cheeks for 5 to 10 seconds.

Pull the swab head back into the protector and re-close the protector around the swab head.

Step 3. FINGERNAIL CLIPPINGS / SWABS

Remove the folded paper from the envelope and place, unfolded, on a flat surface.

Hold the patient's hands over the paper and gently clip the entire nail, allowing the clippings to fall on the paper.

Refold the paper so as to retain the fingernail clippings.

If the patient declines clippings, swabs lightly moistened with a minimal amount of sterile / distilled water should be used. Use one of the swabs to swab under the fingernails of the right hand and the other swab to swab under the fingernails of the left hand. Allow the swabs to air dry, then place the swabs in the swab box and check "Fingernails".

ADULT INSTRUCTIONS**Step 4. KNOWN HEAD HAIR SAMPLE**

Remove the folded paper from the envelope and place, unfolded, on a flat surface.

Run a gloved hand through the patient's hair, gently removing 10-12 hairs (total) from various scalp locations (front, top, sides, and back of head). The patient may be more comfortable performing this step himself or herself. If the required number of hairs is not collected, have the patient pull the additional required hairs. Alternatively, the hairs may be cut close to the scalp.

Place the hairs in the center of the paper and refold so as to retain the hairs.

Step 5. DEBRIS COLLECTION

NOTE: This step is provided for the collection of debris such as foreign hairs, fibers, etc. from the patient's body. Do not package debris from different areas of the patient's body in the same envelope; if necessary, use a separate clean facility envelope and make a druggist fold.

Remove the folded paper from the envelope and place, unfolded, on a flat surface.

Collect any debris present on the patient and place in the center of the paper. Fold the paper so as to retain the debris.

Identify the location from which the samples were removed on the anatomical drawings on the envelope.

Step 6. DRIED SECRETIONS / MISCELLANEOUS SWABS

NOTE: This step is provided for the collection of suspected blood, semen, or saliva which may be present on the patient's body. Carefully examine areas of kissing, sucking, or biting for saliva, and other body areas for ejaculate or other dried secretions. An alternate light source is helpful for locating secretions. Do not package swabs from different areas of the patient's body in the same swab box; if necessary, use separate swab boxes or clean envelopes from facility stock. Additional swabs are provided in this step for the collection of evidence not covered elsewhere in this kit (e.g. nasal swabs, strangulation swabs).

Lightly moisten two of the provided swabs with sterile / distilled water and thoroughly swab the dried secretion with both swabs.

Allow the swabs to air dry, then place the swabs in one of the swab boxes provided.

Mark on the swab box if the swabs are suspected semen, saliva, blood, or other. If other, please describe.

Identify the location from which the samples were removed on the anatomical drawings on the envelope.

If additional swabs are necessary, lightly moisten the other swabs with a minimal amount of sterile / distilled water and thoroughly swab the area making sure to rotate the swabs during the collection procedure. Allow the swabs to air dry, then place the swabs in the other swab box and check "Other". Identify the sample on the line provided and write the area of the patient's body from which the sample was obtained.

Step 7. PUBIC COMBING

Remove the folded paper and comb. Unfold the paper and place it under the patient's buttocks.

Comb the pubic hair in downward strokes to allow any debris or loose hairs to fall onto the paper.

Remove the paper from under the patient, place the comb in the center of the paper, and refold so as to retain the comb and any evidence collected.

If the patient has a shaved pubic area, DO NOT pluck the hair. Observe the area carefully for any pubic hairs. If found, place in the folded paper and document on the envelope that a foreign pubic hair was found on the patient's shaved pubic area.

ADULT INSTRUCTIONS

Step 8. KNOWN PUBIC HAIR SAMPLE

NOTE: Skip this step if the patient shaves his or her pubic area.

Remove the folded paper from the envelope and place, unfolded, on a flat surface.

Remove 3-5 hairs (total) from various regions of the pubic area by cutting the hairs close to the skin. The patient may be more comfortable performing this step himself or herself.

Place the hairs in the center of the paper and refold so as to retain the hairs.

Step 9. GENITAL / PENILE SWABS

Lightly moisten the swabs provided with 1-2 drops of sterile / distilled water.

Holding the swabs together, briskly swab the external genitalia from the mons to the perineum, including along the folds between the labia majora and the labia minora in the female patient. Be sure to rotate the swabs during the collection procedure. With the male patient, swab the entire penis and scrotum. Retract the foreskin if uncircumcised.

Allow the swabs to air dry, then place the swabs in the box and check "Genital / Penile".

Step 10. ANAL SWABS

If necessary, lightly moisten the swabs with a minimal amount of sterile / distilled water for the comfort of the patient.

Carefully swab the anus using the two swabs simultaneously.

Allow the swabs to air dry, then place the swabs in the swab box and check "Anal".

Step 11. VAGINAL / CERVICAL SWABS

Carefully swab the vaginal vault (including the fornix) and cervix using the two swabs simultaneously. Swabbing the cervix is particularly important if more than 12 hours have passed since the assault. Do not swab the os.

Place the swabs in the swab box and check "Vaginal / Cervical."

Step 12. MISCELLANEOUS EVIDENCE

NOTE: This step is provided for the collection of miscellaneous evidence not covered elsewhere in this kit, such as tampons, sanitary pads, condoms, etc. Do not package multiple items together in the same bag. Use a separate facility paper bag or one of the clothing bags if available.

Collect the item and allow it to air dry if necessary. When dry, place in the paper bag.

Step 13. URINE SPECIMEN

NOTE: If the patient presents with drowsiness, memory loss, impaired motor skills, etc. or there is a suspicion of a drug used to facilitate rape, and the ingestion is suspected to have occurred within 96 hours of the hospital examination, the patient should be asked for consent to have a urine sample collected for identification of "rape drugs." If consent is given, immediately collect urine as specified below. To assist the toxicologist, document the date and time when the drug was probably ingested, the date and time the specimen was collected, and any drugs or alcohol voluntarily ingested in the last five days.

ADULT INSTRUCTIONS

Using normal medical procedure and one 100 ml sterile urine collection container from facility stock, collect a 100 ml urine sample.

Attach a tracking label to the container and close it tightly.

Seal the container with evidence tape, place the container in the ziplock bag, and close the bag.

Place on ice until the packaging of specimens is done at the end of the forensic examination.

When packaging, place the ziplock bag with the urine container in the urine collection box.

Seal the box, attach a tracking label and the biohazard and urine stickers, and fill out all information requested.

DO NOT PLACE THE BOX CONTAINING THE URINE SPECIMEN BACK IN THE KIT. Instead, use the packaging materials provided. Instruct law enforcement to **freeze the urine** until transport to HETL for analysis.

Step 14. BLOOD SPECIMEN

NOTE: If the patient presents with drowsiness, memory loss, impaired motor skills, etc. or there is a suspicion of a drug used to facilitate rape, and the ingestion is suspected to have occurred within 96 hours of the hospital examination, the patient should be asked for consent to have a blood sample collected for identification of "rape drugs". If consent is given, immediately collect a blood sample as specified below. Use two 10 ml gray-topped blood tubes or four 5ml gray-topped blood tubes (potassium oxalate and sodium fluoride). To assist the toxicologist, document the date and time when the drug was probably ingested, the date and time the specimens were collected, and any drugs or alcohol voluntarily ingested in the last five days.

Using normal medical procedure and appropriate blood collection tubes, withdraw a sample from the patient allowing the blood tubes to fill to maximum volume. Attach a tracking label to the blood tubes.

Place the tubes in the enclosed bubble pack and seal.

Place on ice until the packaging of specimens is done at the end of the forensic examination.

When packaging, place the bubble pack in the blood collection box.

Seal the box, attach a tracking label and the biohazard and blood stickers, and fill out all information requested.

DO NOT PLACE THE BOX CONTAINING THE BLOOD SPECIMENS BACK IN THE KIT. Instead, use the packaging materials provided. Instruct law enforcement to **refrigerate (not freeze) the blood** until transport to HETL for analysis.

PRE-PUBERTAL CHILDREN INSTRUCTIONS

If questions arise during the collection of evidence from prepubertal children, please contact the Spurwink Child Abuse Program at 1-800-260-6160.

When a forensic examination is performed, it is vital that the medical examination and evidence collection procedures be integrated at all times in order to minimize trauma to the child.

If the alleged perpetrator is a pre-pubertal child, the Office of Child and Family Services should be notified at **1-800-452-1999 (Voice) 711 (TTY)**. The State of Maine's child abuse hotline is staffed 24 hours a day.

If the assault or last sexual contact occurred within 72 hours prior to the hospital visit, or if the time frame cannot be determined, physical evidence from adolescents (13 years or older) can be collected utilizing the uniform standardized forensic examination kit, according to the instructions given for adults. However, physical evidence from pre-pubertal children should be collected using the following instructions:

- If it is determined that the last sexual contact took place more than 72 hours prior to the hospital visit, it is extremely unlikely that trace evidence will still be present on the child's body. This is most common in situations involving long-term abuse. Therefore, a careful evaluation of each case must be made to decide which, if any, evidence collection procedures should be implemented.
- Regardless of when the last sexual contact might have occurred, valuable evidence can still be obtained through a medical / forensic examination of the child and history from the caregiver and / or child. However, it is important that a child not be asked questions by multiple providers / people. A Sexual Assault Forensic Examiner is the most appropriate provider to care for the child, in consultation with the ED physician and the Spurwink Child Abuse Program medical staff.
- Do not force any steps of the examination and / or evidence collection process.
- The collection of specimens for drug testing is not generally necessary for pre-pubertal children unless they provide a history consistent with drug ingestion, including drowsiness, altered consciousness, memory loss, impaired motor skills, or other symptoms consistent with drug ingestion. If the child presents with these symptoms, head trauma should be considered.

PLEASE NOTE:

- ✓ **Unless otherwise noted, do not moisten swabs prior to sample collection. If moistening is required, use only sterile / distilled water.**
- ✓ **All swabs should be air dried prior to packaging, with the exception of the Known DNA Collection swab, which may be packaged immediately using the plastic aerated cap provided.**
- ✓ **Unless otherwise noted, place the evidence collection specimens back into the envelope or bag from which they came.**
- ✓ **All envelopes and bags containing evidence should be sealed. Attach a tracking label to the outside of each envelope or bag and fill out all information requested.**

PRE-PUBERTAL CHILDREN INSTRUCTIONS

CLOTHING COLLECTION:

- ✓ **Clothing may be removed and collected at any point during the examination process. When the patient is ready to disrobe, use the paper sheet from the Foreign Material Collection bag to collect any foreign material by placing the sheet on the floor over a clean facility bed sheet and instructing the patient to stand on it while removing each item of clothing.**
- ✓ **Collect each clothing item as it is removed and place it in the appropriate clothing bag. Do not shake out the clothing or cut through any existing holes, rips, or stains in the clothing. Air dry any wet or damp clothing if secure facilities are available; otherwise, notify law enforcement personnel that the clothing is wet or damp.**
- ✓ **Refold the Foreign Material Collection sheet in such a manner as to retain any material present and place it in the Foreign Material Collection bag.**
- ✓ **If the patient changed his or her clothing after the assault, notify law enforcement personnel so the clothing worn at the time of the assault may be collected.**

Step 1. ORAL SWABS

NOTE: Oral swabs should only be collected if the case history indicates oral contact. Oral swabs may be difficult to obtain from very young children.

Carefully swab the buccal area and gum line using the two swabs simultaneously. Be sure to collect the swabs from the upper and lower buccal areas and the gum line, rotating the swabs during collection.

Place the swabs in the swab box and check "Oral".

Step 2. KNOWN DNA COLLECTION

NOTE: Have the patient rinse his / her mouth with water prior to completing this step.

Open the swab protector and slide the protector back to expose the swab head.

Using the swab, vigorously swab the inside of both cheeks for 5 to 10 seconds.

Pull the swab head back into the protector and re-close the protector around the swab head.

Step 3. FINGERNAIL CLIPPINGS / SWABS

NOTE: Do not collect fingernail clippings from young children unless the examination is performed under anesthesia. The fingernails may be swabbed instead.

Remove the folded paper from the envelope and place, unfolded, on a flat surface.

Hold the patient's hands over the paper and gently clip the entire nail, allowing the clippings to fall on the paper.

Refold the paper so as to retain the fingernail clippings.

For young children, use swabs lightly moistened with a minimal amount of sterile / distilled water. Use one of the swabs to swab under the fingernails of the right hand and the other swab to swab under the fingernails of the left hand. Allow the swabs to air dry, then place the swabs in the swab box and check "Fingernails".

Step 4. KNOWN HEAD HAIR SAMPLE

NOTE: It is recommended that head hair standards not be taken from pre-pubertal children at the time of the initial examination.

PRE-PUBERTAL CHILDREN INSTRUCTIONS

Step 5. DEBRIS COLLECTION

NOTE: This step is provided for the collection of debris such as foreign hairs, fibers, etc. from the patient's body. Do not package debris from different areas of the patient's body in the same envelope; if necessary, use a separate clean facility envelope and make a druggist fold.

Remove the folded paper from the envelope and place, unfolded, on a flat surface.

Collect any debris present on the patient (including the thighs and external genitalia) and place in the center of the paper. Fold the paper so as to retain the debris.

Identify the location from which the samples were removed on the anatomical drawings on the envelope.

Step 6. DRIED SECRETIONS / MISCELLANEOUS SWABS

NOTE: This step is provided for the collection of suspected blood, semen, or saliva which may be present on the patient's body. Carefully examine areas of kissing, sucking, or biting for saliva, and other body areas for ejaculate or other dried secretions. An alternate light source is helpful for locating secretions. Do not package swabs from different areas of the patient's body in the same swab box; use separate swab boxes or clean envelopes from facility stock. Additional swabs are provided in this step for the collection of evidence not covered elsewhere in this kit (e.g. nasal swabs, strangulation swabs).

Lightly moisten two of the provided swabs with sterile / distilled water and thoroughly swab the dried secretion with both swabs.

Allow swabs to air dry, then place the swabs in one of the swab boxes provided.

Mark on the swab box if the swabs are suspected semen, saliva, blood, or other. If other, please describe.

Identify the location from which the samples were removed on the anatomical drawings on the envelope.

If additional swabs are necessary, lightly moisten the other swabs with a minimal amount of sterile / distilled water and thoroughly swab the area making sure to rotate the swabs during the collection procedure. Place the swabs in the other swab box and check "Other". Identify the sample on the line provided and write the area of the patient's body from which the sample was obtained.

Step 7. PUBIC COMBING

NOTE: Instead of collecting pubic hair combings from pre-pubertal children, carefully examine the thighs and external genitalia for any loose hairs or fibers. If any are found, collect according to the instructions given in Step 5 of these instructions.

Step 8. KNOWN PUBIC HAIR SAMPLE

NOTE: It is recommended that pubic hair standards (if present) not be taken from pre-pubertal children at the time of the initial examination.

Step 9. GENITAL / PENILE SWABS

Lightly moisten the swabs provided with 1-2 drops of sterile / distilled water.

Holding the swabs together, gently swab the external genitalia from the mons to the perineum, including along the folds between the labia majora and the labia minora in the female patient. Be sure to rotate the swabs during the collection procedure. With the male patient, swab the entire penis and scrotum. Retract the foreskin if uncircumcised.

PRE-PUBERTAL CHILDREN INSTRUCTIONS

Allow the swabs to air dry, then place the swabs in the swab box and check "Genital / Penile".

Step 10. ANAL SWABS

If necessary, lightly moisten the swabs with a minimal amount of sterile / distilled water for the comfort of the patient.

Carefully swab the anus using the two swabs simultaneously.

Allow the swabs to air dry, then place the swabs in the swab box and check "Anal".

Step 11. VAGINAL SWABS

NOTE: NEVER use a speculum of any size on a pre-pubertal child.

For pre-pubertal females, some young adolescent females, and for the female patient who is too traumatized or anxious to have a vaginal examination, evidence specimens can be obtained by gently swabbing the perineum, inner thighs, and external genitalia (including the sulcus, fossa navicularis, and posterior fourchette) using two swabs slightly moistened with sterile / distilled water.

Unless there is evidence of penetrating trauma in the pre-pubertal female, it is not necessary to collect vaginal swabs. If there has been penetrating trauma, vaginal swabs can be obtained during the repair of the trauma while the child is anesthetized. Attempts to collect vaginal swabs on the pre-pubertal female can result in hymenal and / or vaginal trauma that may mimic abuse.

Carefully swab the vaginal vault using the two swabs simultaneously.

Allow the swabs to air dry, then place the swabs in the swab box and check "Vaginal / Cervical."

Step 12. MISCELLANEOUS EVIDENCE

NOTE: This step is provided for the collection of miscellaneous evidence not covered elsewhere in this kit. Do not package multiple miscellaneous items together in the same bag. Use a separate facility paper bag or one of the clothing bags if available.

Collect the item and allow it to air dry if necessary. When dry, place in the paper bag.

Steps 13 and 14. URINE and BLOOD SPECIMENS

NOTE: Generally these specimens will not need to be collected; however, if the patient presents with drowsiness, memory loss, impaired motor skills, etc. or there is a suspicion of a drug used to facilitate rape, follow the instructions provided in the adult instructions.

FINAL INSTRUCTIONS

Attach a tracking label to the patient information card and give it to the patient prior to discharge.

Ensure all forms have been filled out completely. Separate the forms, retaining the appropriate copies for the medical facility records. The law enforcement copies and the crime laboratory copies of the forms should be sealed in the container attached to the back of the kit.

Check all envelopes and clothing bags to ensure they are sealed and labeled, and all information requested has been completed.

Do not use staples to seal any evidence containers.

Do not lick the seals of the envelopes. All envelopes are self-sealing.

Return the envelopes and small bags containing collected evidence items to the kit box. The large bags containing collected evidence items should be packaged separately. Foreign material collection may be packaged in the kit box if there is sufficient space; otherwise package this item separately with the large bags.

DO NOT PLACE UNUSED COMPONENTS IN THE KIT BOX.

Fill out all requested information in the "For Medical Facility Personnel" section on the kit box top. If the patient has decided not to report the alleged assault to law enforcement, do not fill in the patient's name.

Affix the "Biohazard" label where indicated.

Affix the "Minor" label where indicated if the kit was collected from a minor.

Affix the "Evidence" seals where indicated on the sides of the box. Initial and date partially on and partially off the seal.

Give the clothing bags, urine / blood specimens if collected, and the sealed kit to the law enforcement officer as follows:

- If the patient has made a report to law enforcement, these items should be given to the officer representing the investigating agency.
- If the patient has not made a report to law enforcement, these items should be given to the law enforcement agency with jurisdiction over the medical facility.

Notify the law enforcement officer if any components of the kit, specifically tampons or sanitary napkins, have not been air-dried completely. Such items should be frozen for long-term storage.

**STATE OF MAINE SEXUAL ASSAULT EVIDENCE COLLECTION KIT
AUTHORIZATION FOR COLLECTION OF EVIDENCE
AND NOTICE REGARDING STORAGE**

I, _____, consent to allow _____
(patient's name) (provider's name)
of _____
(name of medical facility)

to conduct a medical / forensic examination of me / my clothing to collect evidence concerning an alleged sexual assault. This procedure has been fully explained to me, and I understand that this medical / forensic examination may include, but not be limited to, laboratory or other tests (if clinically needed), observation for physical injury, and the collection of swabs or other specimens including urine and / or blood samples for laboratory analysis. The evidence may be tested at the Maine State Police Crime Laboratory and / or the Health and Environmental Testing Laboratory and results of those tests may be presented in a court of law. Laboratory analysis may include, but not be limited to, tests for the presence of drugs and / or alcohol.

I understand the nature of the examination and the fact that medical information gathered by this means may be used as evidence in a court of law if I report this incident to law enforcement.

I understand that if I have not reported the alleged assault to a law enforcement agency when the examination is complete, Maine law requires that a hospital or health care provider, such as the health care provider specified above, shall notify the nearest law enforcement agency, which in turn shall transport and store the kit for at least 90 days. **Under such circumstances, the completed kit may be identified only by the tracking number and not by my name.** If during that 90-day period I decide to report the alleged offense to a law enforcement agency, I may contact the hospital or health care provider to determine the tracking number. The hospital or health care provider shall provide me with the tracking number and shall inform me which law enforcement agency is storing the kit.

If I report the alleged assault to a law enforcement agency by the time the examination is complete, the investigating law enforcement agency shall take possession of the kit.

Maine law regarding storage and tracking of the completed kit is found at Title 24 M.R.S.A. §2986(3).

Signed: _____ Date/time: _____

Witness: _____ Date/time: _____

Address: _____

Parent or Guardian, if applicable: _____

Address: _____

**STATE OF MAINE SEXUAL ASSAULT EVIDENCE COLLECTION KIT
PATIENT'S ASSAULT INFORMATION FORM**

Patient's Name: _____ Kit Number: _____ DOB: _____
 Gender at birth: _____ Preferred gender: _____ Race: _____

Brief summary of assault: _____

Date and time of assault: ____/____/____ :____ AM / PM Number of Perpetrators _____
 Date and time of hospital exam: ____/____/____ :____ AM / PM Race of Perpetrators _____

History	YES	NO	UNKNOWN	NOTES
Has the patient had consensual intercourse in the last 72 hours?				
If yes, was a condom used?				
Was the patient menstruating at the time of the assault				
Are there any injuries to the patient resulting in bleeding?				
Are there any injuries to the suspect resulting in bleeding?				
Was there coercion eg with a knife, gun, strangling, threats, etc.? What?				
Was the perpetrator a stranger?				
... acquaintance? Who?				
... relative? Who?				
Does the patient believe she / he might have been drugged?				
Between the assault and now, has the victim:				
bathed / showered?				
douched?				
brushed teeth?				
used mouthwash?				
changed clothes?				
urinated?				
defecated?				
vomited?				
drunk?				
Did the perpetrator use:				
lubricant?				
condom?				

Appendix
G

Was there penetration of:	Vagina	Anus	Mouth	Other	Comments
UNSURE					
NO					
ATTEMPTED					
SUCCESSFUL					
Was the penetration:					
HAND / DIGITAL					
PENILE					
FOREIGN OBJECT					describe object:
Was there ejaculation:					
YES					
NO					
UNSURE					
Did suspect's mouth contact victim's:					
YES					
NO					
UNSURE					
Did victim's mouth contact suspect's:					
Genitals					
YES					
NO					
UNSURE					

Printed name of health care provider: _____ Title: _____ SAFE / SAFE-in-training
 Signature of health care provider: _____ Date: _____
 Printed name of health care provider: _____ Title: _____ SAFE / SAFE-in-training
 Signature of health care provider: _____ Date: _____

**STATE OF MAINE SEXUAL ASSAULT EVIDENCE COLLECTION KIT
EVIDENCE COLLECTION INVENTORY FORM**

Patient's name: _____ Kit Number: _____ Date: _____

Unless otherwise noted, all swabs were air dried properly and all evidence collection items were labeled and sealed appropriately.
Any deviation from the instructions and any additional evidence collection have been noted.

Initials / date of health care provider: _____
 SAFE / SAFE-in-training

CLOTHING COLLECTION:	YES	NO	NOTES
A. Outer upper clothing	<input type="checkbox"/>	<input type="checkbox"/>	_____
B. Outer lower clothing	<input type="checkbox"/>	<input type="checkbox"/>	_____
C. Inner upper clothing	<input type="checkbox"/>	<input type="checkbox"/>	_____
D. Inner lower clothing	<input type="checkbox"/>	<input type="checkbox"/>	_____
E. Miscellaneous clothing	<input type="checkbox"/>	<input type="checkbox"/>	_____
F. Foreign material collection	<input type="checkbox"/>	<input type="checkbox"/>	_____
All clothing items placed in transport bag	<input type="checkbox"/>	<input type="checkbox"/>	_____
Additional items placed in transport bag	<input type="checkbox"/>	<input type="checkbox"/>	_____

KIT COLLECTION:			
Step 1.	Oral Swabs	<input type="checkbox"/>	<input type="checkbox"/>
Step 2.	Known DNA Collection	<input type="checkbox"/>	<input type="checkbox"/>
Step 3.	Fingernail Clippings / Swabs	<input type="checkbox"/>	<input type="checkbox"/>
Step 4.	Known Head Hair Sample (approx #:)	<input type="checkbox"/>	<input type="checkbox"/>
Step 5.	Debris Collection	<input type="checkbox"/>	<input type="checkbox"/>
Step 6.	Dried Secretions / Miscellaneous Swabs	<input type="checkbox"/>	<input type="checkbox"/>
		Suspected: <input type="checkbox"/> blood <input type="checkbox"/> semen <input type="checkbox"/> saliva <input type="checkbox"/> other:	
If alternate light source used, please note areas of fluorescence:			
Step 7.	Pubic Combing	<input type="checkbox"/>	<input type="checkbox"/>
Step 8.	Known Pubic Hair Sample (approx #:)	<input type="checkbox"/>	<input type="checkbox"/>
Step 9.	Genital / Penile Swabs	<input type="checkbox"/>	<input type="checkbox"/>
Step 10.	Anal Swabs	<input type="checkbox"/>	<input type="checkbox"/>
Step 11.	Vaginal / Cervical Swabs	<input type="checkbox"/>	<input type="checkbox"/>
Step 12.	Miscellaneous Evidence	<input type="checkbox"/>	<input type="checkbox"/>
Step 13.	Urine Specimen (DFSA)	<input type="checkbox"/>	<input type="checkbox"/>
Step 14.	Blood Specimen (DFSA)	<input type="checkbox"/>	<input type="checkbox"/>

Were photographs taken? digital video other: _____

Printed name of health care provider: _____ Title: _____ SAFE / SAFE-in-training

Signature of health care provider: _____ Date: _____

Printed name of health care provider: _____ Title: _____ SAFE / SAFE-in-training

Signature of health care provider: _____ Date: _____

Appendix

H

**Department of the Attorney General
Victims' Compensation Board
Sexual Assault Forensic Examination Claim Form**

Instructions to Providers and Facilities:
Please fill in the blanks. If the information is unknown, please write "unknown" in the blank.
Fully and legibly complete itemized billing form and submit within 60 days of examination to:

**Office of the Attorney General
Victims' Compensation Board
State House Station #6
Augusta, ME 04333-0006**

For more information, call (207) 624-7882, Fax (207) 624-7730, website www.maine.gov/ag/

Sections 1, 2, 3, and 5 to be completed by Physician, Examiner, or other Provider

Section 1: Victim Information

Kit Tracking Number _____

Victim Tracking Number (e.g. Medical Record or Account #) _____

Date of Birth ___/___/___ Gender: Female _____ Male _____

Section 2: Attending Physician's / Examiner's Certification

Brief description of exam, treatment, and tests. (Please also complete list in Section 5.)

Physician's signature _____ Date ___/___/___

Name and title printed _____

If SAFE participated, print name _____

Emergency Department Contact _____ Telephone _____

Section 3: Crime Information

Law Enforcement Agency receiving kit _____

Investigating Officer (if known) _____

Date and Time of Assault ___/___/___ at _____ am / pm

Was report made to law enforcement? _____ If yes, date: ___/___/___

Location of Crime _____

Town/city

County

Section 4: Hospital / Medical Facility Billing, Coding, and Records staff

Facility Name _____

F.I.D. Number _____ Date of Forensic Exam ___/___/___

Mailing address _____

Billing Department Contact Person _____ Telephone _____

**Section 5: EMERGENCY DEPT. STAFF: CHECK OFF SERVICES PROVIDED BELOW.
NAME AND MATCH MEDICATIONS TO CONDITIONS TREATED.**

Forensic Examination Billed Service Performed:	<input checked="" type="checkbox"/>	Comments on treatment:
E.R. Physician or other professional fee		
Emergency room, clinic, or office room fees		
SAFE services provided?		
SAFE charges included in ED fee?		
Examiner's Fee (SAFE only if billed separately)		
Pelvic Tray / Supplies		
Laboratory:		
Blood test for syphilis		
Blood test for hepatitis		
HIV test		
Cultures / probes / wet mount for:		
gonorrhea		
chlamydia		
trichomonas		
other sexually transmitted diseases (STDs)		
Pregnancy testing (blood test or urinalysis)		
Urinalysis		
Other venipuncture or specimen collection		
Medications:		(give name and match with conditions treated)
Prophylaxis:		
Trichomoniasis		
Bacterial vaginosis		
Chlamydia		
Gonorrhea		
Pregnancy		
Hepatitis		
Tetanus (wound)		
HIV (selective, high risk)		
Other		
Sedative		
Anti-emetic		
Analgesic		
Other Amounts (written explanation and justification required for consideration)		

ATTENTION Billing, Coding, and Records staff:

What documentation must accompany the claim form? Send an itemized bill, which identifies each billable procedure, service, supply, and medication individually, and include the accompanying CPT codes on the itemization or on a separate billing document.

The Victims' Compensation Board shall pay the actual cost of a forensic examination for an alleged victim of sexual assault, up to a maximum of \$750. Payment made to the provider by the Board for the forensic examination conducted for the purpose of gathering evidence or for testing and medications prescribed as a result of the sexual assault shall be considered by the provider as payment in full. The provider may not bill the victim, any insurer, or other third party for any account balance for forensic examination charges. The provider may bill the victim or victim's insurer for charges determined by the Victims' Compensation Board to be outside the scope of the initial forensic examination.

Instructions for the Victims' Compensation Program Gross Sexual Assault Forensic Examination Claim Form

*** Emergency Department Staff Instructions ***

SECTION 1: Victim Information

Kit Tracking Number: Enter the tracking number from the examination kit in this space. You may attach one of the adhesive numbers from the kit.

Victim Tracking Number: Use this space to enter a number which will connect this forensic kit claim form to the appropriate patient and that patient's records. Usually an account number or a medical record number will work.

SECTION 2: Physician's / Examiner's Certification

Brief description of exam, treatment, and tests: Describe the services provided. Do not list physical findings or a description of the crime.

Emergency Department Contact: Provide a name and telephone number for a contact person in the ED. We will call this person with questions about Sections 1, 2, 3, and 5.

SECTION 3: Crime Information

Provide all requested information.

SECTION 5: Services / Charges

- Check "E.R. Physician or other professional fee" line when a physician or medical professional other than a SAFE performed **either** the emergency department screening examination **or** the forensic examination.
- Check "Emergency room, clinic, or office room fees" if there were charges for the use of a facility.
- Check "SAFE services provided" if a SAFE performed the forensic examination.
- Check "SAFE charges included in ED fee" **only** if the services of the SAFE were included in the ED or other facility charge and were not billed separately.
- Check "Examiner's fee" **only** when a SAFE performed the sexual assault examination and there was a separately billed charge for the SAFE services.
- Check off all other services provided and name and match medications provided to the conditions treated. Provide comments if necessary.

Instructions for the Victims' Compensation Program Gross Sexual Assault Forensic Examination Claim Form

*** Billing, Coding, and Records Staff Instructions ***

SECTION 4: Hospital / Facility Information

F.I.D. Number: This is the federal tax number of the facility, necessary for payment.

Victim Tracking Number (Section 1): Ensure that a number (e.g. account number or medical record number) has been entered as a Victim Tracking Number in Section 1. This number is the only patient identifier which will appear on your payment check.

Billing Dept. Contact: Provide the name and telephone number of a person in the billing office who can be contacted if additional information is needed. When possible, we will try to avoid denying or returning claims.

SECTION 5: Services / Charges

- There must be an itemized bill listing each service by name.
- A bill form providing a CPT code for each service must be submitted.
- Please note that UB-92 forms can be used **only** if they list a CPT code for each service rather than consolidations under categories, e.g. "Laboratory Chemistry."

PLEASE REVIEW THE CLAIM FORM FOR COMPLETION BEFORE SUBMISSION

**PLEASE RETURN THE CLAIM FORM TO OTHER DEPARTMENTS IF THOSE
DEPARTMENTS HAVE NOT COMPLETED THEIR SECTIONS.**

CONSOLIDATED HOSPITAL AND PHYSICIAN BILLS

Single bill preference: In the vast majority of cases, we receive a single bill covering all services from a facility; however, in some cases, physicians bill separately. We urge hospitals and physicians to work together to devise a single billing process by which the facility would bill for all charges and disburse payments to other providers under whatever arrangement is satisfactory to the parties. It is difficult for the VCP to make multiple payments on the same case. Also, we may disburse the maximum \$750 before receiving the second provider's bill.

Alternative: Submit all bills for a specific examination together. The VCP cannot make any additional payments after the maximum of \$750 has been disbursed.

Deciding to report a sexual assault can be a difficult decision. You may report the assault to the police at any time, but you should be aware that there are time limits for prosecuting a person and the longer you wait to report the crime, the more difficult the police investigation will be. Maine law requires a police department to store each sex crimes kit for at least 90 days. The police department is not obligated to retain the kit after that time. Below are instructions on how to locate the kit. Should you need any assistance and/or advice during your recovery, do not hesitate to call the Statewide Sexual Assault Support Hotline at 1-800-871-7741. This hotline will connect you to an advocate in your area.

While you decide if you want to report the assault, your kit will be stored for at least 90 days at _____ . The phone number is _____ .

Instructions to locate kit:

1. Contact the police department that has the kit and tell them that you wish to report the assault. They will need to know the tracking number of the kit, which is located on the lower portion of the back of this card. If you do not know which police department has possession of the kit, contact the emergency department of the hospital where the examination occurred at _____. They will be able to tell you where the kit is located.
2. The police department in possession of the kit will then notify the appropriate investigating department, which should be the law enforcement agency with the jurisdiction in the location where the assault occurred.

(FRONT)

Appendix K

Your nurse was: _____

Your physician was: _____

Your police officer was: _____ from
_____ (law enforcement agency).

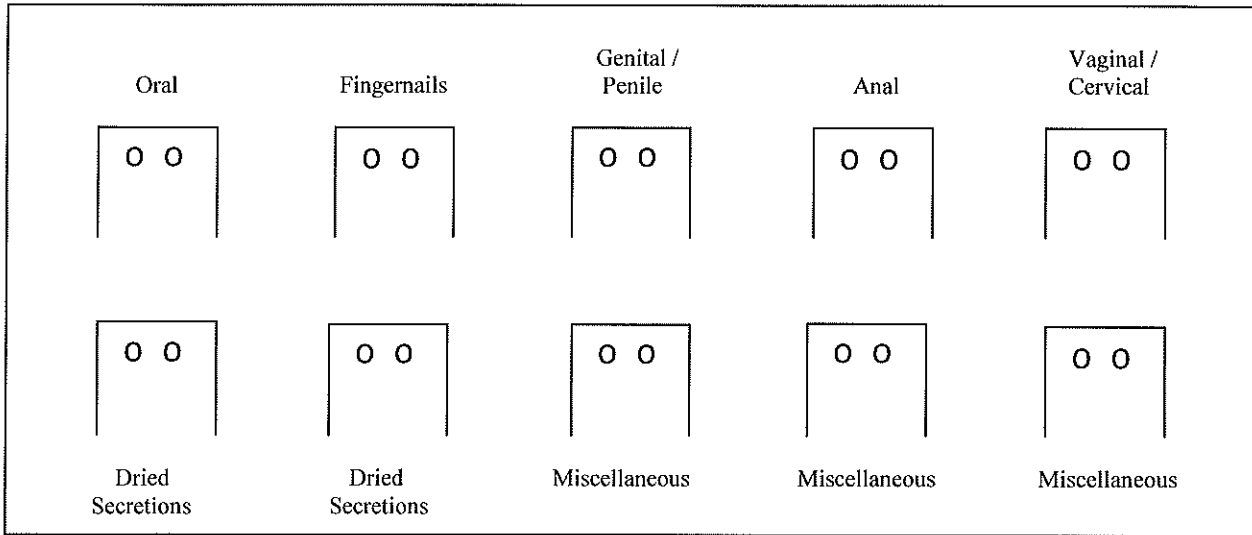
Today's date: _____

You can report this crime to police at any time. However, police are only obligated to hold the evidence for 90 days, until _____. After that date, the evidence may be destroyed.

AFFIX TRACKING LABEL HERE

(BACK)

Rack **must** be constructed so as not to collapse during use.



Appendix L

STEP #	<u>DESCRIPTION OF CONTENTS</u>
AFFIX TRACKING LABEL HERE	
DATE COLLECTED: _____ TIME _____ am / pm	
COLLECTED BY _____	
WAS SAMPLE COLLECTED? YES <input type="checkbox"/> NO <input type="checkbox"/>	
<i>[Insert specific step instructions here. Use Adult instructions. Do not include Pre-pubertal Children instructions.]</i>	

Appendix M

Four sides of swab box for Steps 1, 3, 9, 10, 11:

AFFIX TRACKING LABEL HERE	DATE: _____
COLLECTED BY: _____	TIME: _____ am / pm

<input type="checkbox"/> Oral	<input type="checkbox"/> Fingernails	<input type="checkbox"/> Genital / Penile	<input type="checkbox"/> Anal	<input type="checkbox"/> Vaginal / Cervical
-------------------------------	--------------------------------------	---	-------------------------------	---

Notes: _____

AIR DRY SWABS BEFORE PLACING IN CARTON

Appendix N

Four sides of swab box for Step 6:

AFFIX TRACKING LABEL HERE	DATE: _____
COLLECTED BY: _____	TIME: _____ am / pm

Suspected:	<input type="checkbox"/> Saliva	<input type="checkbox"/> Blood	<input type="checkbox"/> Semen	<input type="checkbox"/> Other (describe below)
------------	---------------------------------	--------------------------------	--------------------------------	---

Other: _____

AIR DRY SWABS BEFORE PLACING IN CARTON

Appendix O

FRONT:

AFFIX
BIOHAZARD
LABEL HERE
AFTER SPECIMEN
COLLECTION

AFFIX
URINE OR
BLOOD
SPECIMEN
LABEL HERE

**MAINE STATE SEX CRIMES
EVIDENCE COLLECTION KIT**

PERISHABLE EVIDENCE: PLACE IN SECURED AREA

PLEASE PRINT

PATIENT'S NAME: _____
(ONLY IF REPORTING)

FACILITY: _____ PHONE: _____

HEALTH CARE PROVIDER: _____

SAFE / SAFE-IN-TRAINING

HEALTH CARE PROVIDER: _____

Appendix P

BACK:

CHAIN OF CUSTODY

RELINQUISHED BY: _____ DATE: _____

AGENCY: _____ TIME: _____ am / pm

RECEIVED BY: _____ DATE: _____

AGENCY: _____ TIME: _____ am / pm

RELINQUISHED BY: _____ DATE: _____

AGENCY: _____ TIME: _____ am / pm

RECEIVED BY: _____ DATE: _____

AGENCY: _____ TIME: _____ am / pm

AFFIX TRACKING LABEL HERE

VENDOR CUSTOMER CODE	SUPPLIER PART NUMBER	SUPPLIER NAME	MANUFACTURER NAME	MANUFACTURER PART NUMBER	COMMODITY CODE	ITEM DESCRIPTION	EXTENDED DESCRIPTION	UNIT OF MEASURE	LIST PRICE	DELIVERY DAYS
VC0000116650	ME500B	SIRCHIE ACQUISITION CO LLC		ME500B	87515	Victim Sexual Assault Kit	Must meet State of Maine Specs	Kit	\$24.13	56

State of Maine Procurement Justification Form

This form must accompany all contract requests and sole source requisitions (RQS) over \$5,000 submitted to the Division of Procurement Services.

INSTRUCTIONS: Please provide the requested information in the white spaces below. All responses (except signatures) must be typed; no hand-written forms will be accepted. See the guidance document posted with this form on the Division of Procurement Services website (Forms page) for additional instructions.

PART I: OVERVIEW

Department Office/Division/Program:		Department of Public Safety – Crime Lab			
Department Contract Administrator or Grant Coordinator:		Lt. Michael Zabarsky Amy Gower			
(If applicable) Department Reference #:					
Amount: (Contract/Amendment/Grant)	\$ 0.00	Advantage CT / RQS #:	RQS-16A-20210803*0130		
CONTRACT	Proposed Start Date:	08-30-2021	Proposed End Date:	08-30-2024	
AMENDMENT	Original Start Date:		Effective Date:		
	Previous End Date:		New End Date:		
GRANT	Project Start Date:		Grant Start Date:		
	Project End Date:		Grant End Date:		
Vendor/Provider/Grantee Name, City, State:		Sirchie Acquisition Co, LLC 100 Hunter PL Youngsville, NC 27596			
Brief Description of Goods/Services/Grant:		Victim Sexual Assault Testing Kits			

PART II: JUSTIFICATION FOR VENDOR SELECTION

Mark an "X" before the justification(s) that applies to this request. (Check all that apply.)

	A. Competitive Process		G. Grant
	B. Amendment		H. State Statute/Agency Directed
X	C. Single Source/Unique Vendor		I. Federal Agency Directed
	D. Proprietary/Copyright/Patents		J. Willing and Qualified
	E. Emergency		K. Client Choice
	F. University Cooperative Project		L. Other Authorization

PART III: SUPPLEMENTAL INFORMATION

Please respond to ALL of the following:

- 1. Provide a more detailed description and explain the need for the goods, services or grant to supplement the response in Part I.**

State of Maine Procurement Justification Form

PART III: SUPPLEMENTAL INFORMATION

The Maine State Police Crime Laboratory Chemistry unit is responsible for the purchasing, inventorying, distribution and testing of victim sexual assault testing kits. Many of these kits are distributed to Maine hospitals and law enforcement officials investigating sexual assaults in the State. The Chemistry unit tracks these kits and when the completed kits arrive at the lab, they are forensically processed.

By obtaining the Sirchie kits, hospitals and law enforcement officials will be able to continue to investigate and process evidence resulting from sexual assaults. They are familiar with these kits, the necessary components and process, and they will require no additional training. Continuing with these kits provides the lab continuity with evidence collection practices, greater confidence and efficiency, as well as a reduction of error by using the same kits our end users are accustomed to.

2. Provide a brief justification for the selected vendor to supplement the response in Part II.

The Maine State Police Crime Laboratory is looking to purchase the Sirchie sexual assault collection/testing kits because it provides the features and functionality necessary to continue our mission of procuring and supplying kits to Maine hospitals and law enforcement and the ease and functionality of having "known" kits to process here at the lab according to our policies and accreditation standards.

The Maine State Police Crime Laboratory understands that Sirchie has a reputable perception in the lab and law enforcement communities and is available to seek support from if needed.

In addition, the Maine State Police Crime Laboratory would like to purchase the Sirchie collection/testing kits from the same vendor it has been using so that any technical questions, add-ons, and upgrades will come from the same vendor for the purpose of warranty, customer service, and quality assurance. Per Maine law, the kit must contain a list of predetermined items. The Sirchie kit has already been "built" so to speak and therefore adds to our efficiency of operations and prevent unforeseen problems that can arise working with different products and needing additional training.

It should also be noted that previous vendors have supplied this laboratory with materials that did not stand up well to the collection process at the hospitals. A few years ago, complaints from nurses about some of the contents resulted in the initiation of the bid process. Sirchie was not only less expensive, but also has been very responsive to our needs and the occasional complaint. During the COVID epidemic they have done well to fill kit orders despite multiple supply delays on their end with swabs, for example.

3. Explain how the negotiated costs or rates are fair and reasonable; or how the funding was allocated to grantee.

The Chemistry unit requested a quote for the Sirchie victim sexual assault collection/testing kits, which is consistent with the lab's previous expenses for this product. Also, this product is without a yearly maintenance fee, which is part of the proposal for like products from other manufacturers.

4. Describe the plan for future competition for the goods or services.

The Sirchie victim sexual assault collection/testing kits is technology our Lab is accustomed to and would be utilizing to process evidence. Depending on our use, success or failure of performance, and the potential need for additional technology of this kind that could replace or supplement this product, competition for similar instruments could be considered in the future

PART IV: APPROVALS

State of Maine Procurement Justification Form

Signature of requesting Department's Commissioner (or designee):	<i>By signing below, I signify that I approve of this procurement request.</i>		
	<i>Kendra Coates</i>		
Printed Name:	Kendra Coates	Date:	8/26/21
Signature of DAFS Procurement Official:	<small>DocuSigned by:</small> <i>Justin Franzose</i>		
Printed Name:	<small>AEED9C7B3A8044E...</small> Justin Franzose	Date:	9/3/2021






Sirchie_PJF_08032021

Final Audit Report

2021-08-26

Created:	2021-08-26
By:	Amy Gower (amy.gower@maine.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAATf3xWQlaK6O_-E409zZdd3F_MQII35AT

"Sirchie_PJF_08032021" History

-  Document created by Amy Gower (amy.gower@maine.gov)
2021-08-26 - 1:25:18 PM GMT- IP address: 198.182.163.109
-  Document emailed to Kendra Coates (kendra.coates@maine.gov) for signature
2021-08-26 - 1:25:58 PM GMT
-  Email viewed by Kendra Coates (kendra.coates@maine.gov)
2021-08-26 - 1:34:48 PM GMT- IP address: 104.47.65.254
-  Document e-signed by Kendra Coates (kendra.coates@maine.gov)
Signature Date: 2021-08-26 - 1:36:13 PM GMT - Time Source: server- IP address: 198.182.163.109
-  Agreement completed.
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