

**§6203. Prohibition on use of evidence gathered during sexual assault forensic examination**

**1. Use of evidence prohibited.** Evidence gathered during a sexual assault forensic examination may not be used:

- A. To prosecute a survivor for any Class D or Class E crime under Title 17-A, chapter 45; [PL 2023, c. 199, §1 (NEW).]
- B. To prosecute a survivor for any crime of criminal OUI under Title 29-A, section 2411; [PL 2023, c. 199, §1 (NEW).]
- C. To prosecute a survivor for any crime of failure to appear, failure to report or violation of condition of release under sections 1091, 1091-A and 1092, respectively; [PL 2023, c. 199, §1 (NEW).]
- D. As the basis of a motion to revoke any conditional release of the survivor under Title 17-A, chapter 67; [PL 2023, c. 199, §1 (NEW).]
- E. To prosecute a survivor for any civil violation or crime under Title 28-A; [PL 2023, c. 199, §1 (NEW).]
- F. To prosecute a survivor for engaging in prostitution under Title 17-A, section 853-A; or [PL 2023, c. 199, §1 (NEW).]
- G. To prosecute a survivor for any juvenile crime based on a violation of the laws set forth in paragraphs A to F. [PL 2023, c. 199, §1 (NEW).]

[PL 2023, c. 199, §1 (NEW).]

**2. Use of evidence to justify search prohibited.** Evidence gathered during a sexual assault forensic examination may not be used as a basis to search for evidence to be used against the survivor for any of the following:

- A. A Class D or Class E crime under Title 17-A, chapter 45; [PL 2023, c. 199, §1 (NEW).]
- B. Any crime of criminal OUI under Title 29-A, section 2411; [PL 2023, c. 199, §1 (NEW).]
- C. Any crime of failure to appear, failure to report or violation of condition of release under sections 1091, 1091-A or 1092, respectively; [PL 2023, c. 199, §1 (NEW).]
- D. A motion to revoke any conditional release of the survivor under Title 17-A, chapter 67; [PL 2023, c. 199, §1 (NEW).]
- E. Any civil violation or crime under Title 28-A; [PL 2023, c. 199, §1 (NEW).]
- F. Engaging in prostitution under Title 17-A, section 853-A; and [PL 2023, c. 199, §1 (NEW).]
- G. Any juvenile crime based on a violation of the laws set forth in paragraphs A to F. [PL 2023, c. 199, §1 (NEW).]

[PL 2023, c. 199, §1 (NEW).]

**SECTION HISTORY**

PL 2023, c. 199, §1 (NEW).

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