**§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).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1. 2023
. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.