



January 11, 2022

Senator Carney, Representative Harnett, and Members of the Joint Standing Committee on Judiciary:

My name is Elizabeth Ward Saxl and I am submitting testimony today on behalf of the Maine Coalition Against Sexual Assault (MECASA), the organization which represents and serves Maine's [sexual violence prevention and response programs](#) as well as [Maine's Children's Advocacy Centers](#). MECASA initiates and advocates for victim-centered public policy; provides expert training, technical assistance, and resources for providers and partners; and funds the service providers in your communities.

MECASA is here today in support of **LD 1696, "An Act To Clarify and Recodify Maine's Protection from Abuse Statutes."** Many thanks to Senator Bailey for her many hours of work to bring this bill to the Committee.

Each year, 14,000 Mainers will experience sexual violence.¹ Yet of those 14,000 Mainers, fewer than five percent will make a report to law enforcement. And so, one of the only paths to justice and safety for the thousands of remaining survivors is accessing civil protections. The good news is that over the last fifteen years, this committee has carefully crafted several critical statutes which have increased victims' safety and their ability to thrive – starting with allowing victims of sexual violence to seek protection orders regardless of whether or not the sexual assault occurred within the context of domestic violence.

However, as you have heard, the old farmhouse, which is our protection from abuse statute, is very difficult to navigate. Even with the support of Pine Tree Legal Assistance's (PTLA) attorneys who represent sexual assault survivors across our state every day, the path is far from straight with many system players still confused about what remedies are available to sexual assault victims. And those are the survivors who are fortunate enough to have PTLA's expertise behind

¹ Dumont, R. & Shaler, G. (2015). *Maine Crime Victimization Report: Informing public policy for safer communities*. Muskie School of Public Service, University of Southern Maine.

them. But the vast majority of those seeking PFAs do not have the benefit of legal counsel. They are left to try to work their way through the statute and are unlikely to have access to the caselaw which plays such a central role in many of these cases. The result is that many victims of sexual violence do not receive the protections to which they are entitled – not because the protections do not exist, or because they are not eligible, but because the statute is too hard to understand.

The complexity of the statute actually sometimes benefits those survivors who are being represented by PTLA – as opposing counsel often does not have as strong of a grasp on the law and case law. Yet another reason to make this statute more accessible.

We are deeply grateful for the many, many hours of work put in by Lucia Chomeau Hunt and Melissa Martin from PTLA and Andrea Mancuso from the Maine Coalition to End Domestic Violence to reorganize this statute. Pretty much everyone in the field is tired of hearing me talk about this bill – I can't resist telling everyone I can what a thing of beauty it is. The drafters consulted with many other experts in the field and were vigilant about not making any substantive changes – even under pressure from allies advocating for important statutory improvements. The remarkable product of their work will result in increased access to justice for all involved with these cases – for those seeking PFAs and those opposing them, those who have representation and those who are representing themselves.

I urge you to support this bill and would be pleased to answer any questions you might have.

About Maine's Sexual Assault Service Providers

Maine's [sexual violence service providers](#) provide free and confidential services across the state to victims/survivors of sexual harassment and sexual assault and those close to them, as well as to individuals who wish to increase their understanding of the issues. Just some of the services include a 24-hour statewide sexual assault helpline, crisis intervention and information, support groups, in-person accompaniment and advocacy through the medical and legal systems, and school- and community-based prevention education. Services are provided for a victim/survivor regardless of when they experienced sexual violence, and regardless of what type of sexual violence they experienced. Types of sexual violence include, but are not limited to, sexual harassment and gender-based bullying, child sexual abuse, elder sexual abuse, stalking, sex trafficking, and sexual violence within an intimate partner relationship.

24/7 Confidential
Maine Sexual Assault Helpline: [1-800-871-7741](tel:1-800-871-7741)