



## MAINE COMMISSION ON DOMESTIC AND SEXUAL ABUSE

### Testimony of Rebecca Austin

#### Writing in SUPPORT of L.D. 2085 “An Act to Update Maine’s Domestic Violence and Stalking Laws” Before the Joint Standing Committee on Judiciary

Date of Public Hearing: January 24, 2024

Senator Carney, Representative Moonen, and members of the Committee on Judiciary:

My name is Rebecca Austin. I am the Acting Chair of the Maine Commission on Domestic and Sexual Abuse (“the Commission”), and I am writing on behalf of the Commission in **SUPPORT of LD 2085, “An Act to Update Maine’s Domestic Violence and Stalking Laws.”**

The Commission is comprised of law enforcement, attorneys, advocates, survivors, a judicial advisory member, and representatives from within state government.<sup>1</sup> The Commission is tasked with advising and assisting the executive, legislative and judicial branches of State Government on issues related to domestic and sexual abuse.<sup>2</sup>

The Commission deeply understands the real and significant connection between stalking and intimate partner violence – nearly 40% of people in the United States are stalked by a current or former intimate partner.<sup>3</sup> Stalking is also an indicator of future lethal violence – the Maine Domestic Abuse Homicide Review Panel (DAHRP) has repeatedly identified stalking as a common tactic that perpetrators engage in prior to committing homicide. Indeed, in the most recent report published by the DAHRP, perpetrators stalked their victim prior to murdering them in 22% of the cases reviewed.<sup>4</sup> The terror experienced by stalking victims goes beyond immediate threats, often creating a pervasive sense of insecurity that

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<sup>1</sup> 19-A M.R.S. § 4115 (1)

<sup>2</sup> 19-A M.R.S. § 4013 (3)

<sup>3</sup> A Smith, S.G., Basile, K.C., & Kresnow, M. (2022). The National Intimate Partner and Sexual Violence Survey (NISVS): 2016/2017 Report on Stalking. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention. See: <https://www.cdc.gov/violenceprevention/pdf/nisvs/nisvsstalkingreport.pdf>

<sup>4</sup> 14<sup>th</sup> Biennial Report of the Maine Domestic Abuse Review Panel. December 2023. See: <https://www.mcedv.org/wp-content/uploads/2024/01/14th-DAHRP-Report-Final.pdf>

filters into every aspect of a victims' life. LD 2085 addresses an important need, allowing the state to have the appropriate tools to respond to this level of distress.

Victims of domestic violence and stalking must be afforded every possible pathway to safety within our collective power to provide – which includes a constitutionally sound statutory framework. LD 2085 aligns Maine's stalking, terrorizing, harassment by telephone, and protection from abuse laws with the US Supreme Court's recent decision in *Counterman v. Colorado* (2023). In doing so, LD 2085 ensures that Maine's criminal justice system can continue to hold perpetrators of these crimes accountable for their actions and respond effectively to the safety needs of victims who experience these potentially lethal forms of abuse. The Commission strongly urges the Joint Standing Committee on the Judiciary to take swift action on this issue and approve LD 2085.

**Contact Information**

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