

Testimony of Lani Graham, MD, MPH

In Support of LD 2250

An Act to Allow the Department of Corrections to Comply with the Federal Prison Rape Elimination Act of 2003

Presented by Senator Carney

Before the Judiciary Committee, March 5, 2024

Senator Carney, Representative Moonen and Members of the Judiciary committee, my name is Lani Graham I am a former Chief Public health Officer for Maine. I serve on the Public Health Committee of the Maine Medical Association. I live in Freeport. I am here in support of LD 2250.

I must admit that I was quite shocked to learn that Maine's Department of Corrections was not in full compliance with the federal Prison Rape Elimination Act passed in 2003 and written specifically to help the people of this country and state learn more about sexual attacks in prisons and eliminate them.

Of course, I applaud the Department for realizing that there would be a loss of federal funds if the Department did not come into compliance with this law. I do wonder how much money was lost over the decade. Was it \$80,000 annually? Could the Department have sacrificed almost a million dollars to avoid full compliance with this law?

But it is great to see we are moving forward to rectify the situation. I certainly hope, given the recent problems at the Department of Corrections, that the Commissioner also sees the value of this 2003 federal law in helping him create a healthy environment for the incarcerated.

We are talking about the need for violence prevention in Maine this week. This committee will hear several such bills. But there are few places where violence is more common than in prison settings and, short of death, sexual violence is the most serious consequence of neglected violence. When the people responsible for the care of the victims of such violence are also the perpetrators, the situation is horrific. Those victims who have the courage to report that they have been sexually abused deserve all the actions mentioned in this bill. Consider the fact that it is estimated that 63% of rapes outside of

prison setting are not reported to the police.¹ This is due to fears of not being believed, reprisals or humiliation. Perhaps needless to say, this lack of reporting would be even more pronounced in prisons where the caretakers have complete control over potential victims.

But more than that, the Commissioner and Maine people need to know what is going on beyond individual victims. I am a public health expert. Those of us in public health depend on solid scientific data collection to develop actions and strategies to support needed change for the better health of any population. When we can see what is happening as a big picture, from year to year, change is possible. I do wonder about the publication of sexual attacks data from year to year. I assume the Department is keeping track of this data, reporting it to the federal government, posting it where the public has access to it and making changes related to care based on what is learned from it.

Last, I would like to mention a study of violence in prisons and jails, championed by Representative Moonen and supported by the Department of Corrections. It did not get funded in 2023. I hope 2024 is the year we can move forward with that.

Thank you for your attention.

¹ https://www.nsvrc.org/sites/default/files/publications_nsvrc_factsheet_media-packet_statistics-about-sexual-violence_0.pdf