
**Testimony of Andrea Mancuso, on behalf of the Maine Coalition to End Domestic Violence
Neither for Nor Against LD 527: “An Act to Establish Bail Officers to Administer the Bail Code”**

**Before the Joint Standing Committee on Criminal Justice and Public Safety
Monday, March 17, 2025**

Senator Beebe-Center, Representative Hasenfus, and distinguished members of the Joint Standing Committee on Criminal Justice and Public Safety, I am submitting the below comments on behalf of the Maine Coalition to End Domestic Violence (MCEDV)¹ regarding LD 527.

MCEDV appreciates the Maine Judicial Branch coming forward with a proposal to chart a new path for the process for setting bail in Maine. The current structure has significant, long-standing flaws, some of which have direct implications on the efficacy of a community’s response to domestic violence crimes and the immediate safety and security of victims of those crimes.

Domestic violence cases tend to be some of the most complicated cases to evaluate for bail. Bail commissioners have obligations to seek out certain information to inform their decision making, such as whether an ODARA risk assessment was conducted and, if so, which boxes were checked; and some domestic violence cases are not eligible for bail to be set by a bail commissioner. Domestic violence cases are also required to have a shorter date set to appear in court. With a concerning frequency, bail commissioners get it wrong, setting bail for a defendant who, by statute, can only have their bail set by a judge. The crime victim is told one thing is required by law, that the defendant will not be released until seen by a judge. And then the defendant is released within hours instead. When this happens, there is very little accountability. Community partners can contact the Criminal Court Process Specialist at the Administrative Office of the Courts, who can bring the deficiency to the relevant bail commissioner’s attention and remind that person of the statute and what should have happened. But that is all. We are hopeful that the proposed bail officer program will bring a great level of training, supervision, and accountability for those setting bail, and with that greater accuracy in the execution of the bail code.

However, with regard to the suggestion in Section 5 of the bill that bail might begin to be posted through the use of a credit card, we note that, in domestic violence cases, the finances of the

¹ MCEDV represents a membership of the eight regional domestic violence resource centers across Maine as well as two culturally specific service providers. Last year, our programs provided services to more than 12,000 survivors of domestic abuse and violence and their children in our state.

person causing the harm are likely intertwined with the person they are being held for having harmed. This will frequently include a joint credit card. In such circumstances, the defendant's use of that credit card to post bail would make the victim of the crime jointly liable for that debt. Economic abuse is a type of abuse that is experienced by almost every domestic violence victim. Policymakers and those charged with process implementation should take care not to make the bail process an additional financial burden on crime victims in domestic violence cases.

Thank you for the opportunity to share our perspective. Should this be enacted, we look forward to working with the Judicial Branch and other stakeholders as implementations issues are worked out.

Contact Information

Andrea Mancuso, Public Policy Director

Andrea@mcedv.org, (207) 650-4356