



January 26, 2023

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

My name is Melissa Martin 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 113, An Act to Provide Funding for Guardians Ad Litem**. Thank you to Representatives Craven, Cloutier, Perry, Reckitt and Stover and Senators Carney and Rotundo for introducing this legislation.

Guardians ad litem (GALs) are an essential tool for family courts to be able to help families reach agreement without the need for a full court hearing, help the court hear the full range of evidence in a case, and allow children's voices to play a more central role in court proceedings.

I am here today to talk about a particular type of case that benefits from GALs—cases involving child sexual abuse. Currently in Maine, when there is a report of potential child sexual abuse to law enforcement or the Department of Health and Human Services, children are interviewed at a Children's Advocacy Center (CAC). This interview is conducted by a highly trained forensic interviewer who has completed a nationally recognized, evidence-based training and continues to receive ongoing support through training and peer review. This interview is conducted using non-leading, trauma informed questions in a neutral location.

The CAC interview is currently used for investigative purposes for the Department of Health and Human Services and law enforcement to conduct their investigation, but pursuant to Maine law, the interview cannot be used as evidence in a family matter case. That means, even if the child disclosed abuse and even if there is an ongoing criminal case, the child may be forced to testify again in court in the family matter proceeding.

This is traumatizing and unnecessary for the child. The appointment of a GAL can help minimize the trauma in these cases by either allowing the GAL to review the forensic interview and use its contents to inform settlement agreements or allowing the contents of this interview to be shared at trial. Even in the cases where that is not possible, speaking privately with the GAL can help minimize the trauma of that child survivor from having to retell their story in open court.

For all these reasons, funding GALs for families who cannot afford them is essential in a variety of cases, but it is especially important for cases of child sexual assault.

Thank you for your consideration. We hope you will support LD 113 and would be pleased to answer any questions you might have.

About Maine's Sexual Assault Service Providers

One in five Mainers will experience sexual assault at some point in their lifetime.¹ Each year, 14,000 Mainers will experience sexual violence.²

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

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.

² *Ibid.*