



The Maine Coalition
to End Domestic Violence

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**Testimony of Andrea Mancuso, on behalf of the Maine Coalition to End Domestic Violence
In SUPPORT of LD 765: "An Act to Permit Recordings of a Protected Person to Be
Admissible in Evidence"**

**Before the Joint Standing Committee on Judiciary
Wednesday, March 15, 2023**

Senator Carney, Representative Moonen, and members of the Joint Standing Committee on Judiciary, I am writing on behalf of the Maine Coalition to End Domestic Violence (MCEDV)¹ in support of LD 765, "An Act to Permit Recordings of a Protected Person to Be Admissible in Evidence." In particular, we urge you to support Section 5 of this proposal, which outlines a process through which the family courts will have discretion to allow parties and Title 19-A guardians ad litem access to this important evidence and to have the ability to consider it in family court proceedings.

Far more interviews containing disclosures of abuse take place at Child Advocacy Centers than prosecutions for criminal conduct associated with those disclosures. Far more interviews containing disclosures of abuse take place at Child Advocacy Centers than protective custody cases are initiated through the child welfare system based on those disclosures. For most children making disclosures of abuse, critically important decisions about their safety and wellbeing are left to Maine's family courts. And yet they don't have access to these interviews. It is in the best interests of children for decision makers in family court proceedings to have access to this important evidence about abuse experienced or witnessed by the children about whom these decisions are being made.

Maine's Child Advocacy Centers have implemented a best practice, nationally accredited model for interviewing abused children. This interview, conducted by a trained professional using non-leading questions, much closer in time to when abuse occurred than subsequent family court litigation, will almost always be the best evidence available to the court about what the child actually experienced. Access to these interviews will help Maine's family courts make decisions that better respond to the experiences of children.

¹ MCEDV serves a membership of eight regional domestic violence resource centers as well as the Immigrant Resource Center of Maine. Our member programs provided services to more than 12,000 victims of domestic violence in Maine last year, including court advocacy services in the civil and criminal courts.

As always, thank you for the opportunity to share our perspective. MCEDV and our member programs look forward to working with you and interested parties on these important issues.

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