



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 1865: "An Act Establishing the ME Sentencing Guidelines Commission"  
Monday, May 8, 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)<sup>1</sup> to offer our perspective on LD 1865, "An Act Establishing the Maine Sentencing Guidelines Commission."

We appreciate Speaker Talbot Ross' continued commitment to having purposeful conversations about how our criminal justice system could be more just, structured to avoid bias, and a more reliable tool for enhancing public safety. If the legislature determines that it is appropriate for Maine to have sentencing guidelines, we support the approach that LD 1865 suggests in convening a group of interested parties who hold a broad range of perspectives and expertise. In our experience, the best public policy proposals are put forward when there has been ample opportunity to hear, consider and hopefully address a variety of viewpoints to reach the right balance of interests and objectives in the end.

MCEDV also supports that the proposal recognizes the interests that crime victims have in sentencing policy and suggests appointment of a crime victim to the Commission. We would note that, in our experience, it is a burdensome request to expect one crime victim to represent the broad range of victim perspectives. Pick any place on the spectrum of opinion regarding appropriate criminal justice policy and you will find crime victims there. It's also difficult to expect the average crime victim to feel comfortable engaging with what is likely to be a room full of lawyers and those with highly technical expertise. To that end, we would ask the committee to consider additionally naming a domestic violence victim services representative to the commission.

Lastly, the bill proposes a definition of Restorative Justice that we would ask you to reconsider. Our statutes should not suggest that "reconciliation" between the person who caused harm and their victim is a public policy goal. We note that, in Title 34, Section 1001, Restorative Justice is defined as, "a practice in which offenders take responsibility for causing harm and engage in a facilitated process with victims, family members, community

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<sup>1</sup> 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 approximately 14,000 victims of domestic violence in Maine last year.

members, advocates, and others impacted by the harm that focuses on repairing the harm, addressing needs and preventing future harm.” Title 15, Section 3204 also incorporates this language to define “restorative justice program.” This definition, already existing in Maine law. MCEDV would encourage policy makers to use consistent definitions throughout our statutes, unless there is a compelling public policy reason for deviation.

Thank you for the opportunity to share our perspective.

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