



Testimony of Lucia Chomeau Hunt, Esq.
Pine Tree Legal Assistance, Inc.

Speaking in Support of LD 2085
An Act to Update Maine's Domestic Violence and Stalking Laws
Date of Public Hearing: January 24, 2024

Senator Carney, Representative Moonen, and members of the Joint Standing Committee on Judiciary, my name is Lucia Chomeau Hunt. I am the directing attorney of Family Law and Victim Rights at Pine Tree Legal Assistance, Inc., and I am speaking to you today in support of LD 2085, An Act to Update Maine's Domestic Violence and Stalking Laws.

I have been asked to share the perspective of Pine Tree Legal Assistance on these issues and I am speaking today on behalf of Pine Tree Legal Assistance (Pine Tree). Pine Tree is a nonprofit organization with offices in Portland, Lewiston, Augusta, Bangor, Machias, and Presque Isle. Since 1967, Pine Tree Legal Assistance has provided free legal services to low-income people throughout the State of Maine.

Attorneys in Pine Tree's statewide Family Law and Victim Rights unit represent survivors of domestic violence, sexual assault, and stalking. In 2023, we handled **1,369 civil legal cases for survivors**, including protection from abuse and protection from harassment cases in all of the district courts across the state.

This bill amends Maine's stalking definition, as well as several other sections of the criminal code, that are referenced in the Protection from Harassment statute, and two subsections of the definition of abuse within the Protection from Abuse statute. The proposed changes are necessary to ensure not only that the criminal justice system in Maine can continue to be effective for survivors, but also so that the civil processes that many survivors pursue instead of or in addition to a criminal case remain accessible.

The purposes of the Protection from Abuse statute include, "Protection. To allow family and household members who are victims of domestic abuse **to obtain expeditious and effective protection** against further abuse so that the lives of the nonabusing family or household members are as secure and uninterrupted as possible." 19-A MRS §4101(2).

When there is a question about the constitutionality of a portion of the PFA or PFH statutes, there can be confusion, and protracted litigation in a process that is intended to be summary in nature. These laws should be as clear and accessible as possible. The last thing that a judge

handling a busy PFA docket needs is to entertain arguments about the potential unconstitutionality of the statute. All litigants should also be on notice about what conduct constitutes abuse, stalking, or the other crimes that may give rise to a Protection from Abuse or Harassment claim. **In addition to the important criminal justice implications, the proposed changes promote fairness, transparency, and judicial economy for the civil legal processes that protect survivors.**

Thank you to Senator Carney, her co-sponsors, and to this committee for your work to respond to issues that impact survivors. I would be happy to answer any questions.