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MAINE COALITION AGAINST SEXUAL ASSAULT

January 24, 2024

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 2085, An Act to Update Maine's Domestic Violence and Stalking Laws. Thank you to Senator Carney, Assistant Leader Cloutier, Senators Daughtry, Libby, and Rafferty and Representatives Arata, Henderson, Kuhn, Lee, and Sheehan for sponsoring this legislation.

As you have heard, this bill is important for domestic violence and stalking survivors. I want to address specifically why this bill is important to survivors of sexual violence.

As the Department of Justice has acknowledged: "We have long known that many sexual assaults don't just spontaneously occur when the sexual assault happens – but rather stalking of the victim by the offender is a frequent precursor of the sexual assault."¹

This tracks with my experiences representing survivors of sexual violence for several years. It was not uncommon for a client to have experienced sexual harassment or sexual assault and stalking. The sexual harassment or sexual assault would often be harder to prove at a contested hearing because frequently there was no physical evidence or witnesses. The stalking that happened after would often be the better path to showing that my client was eligible for a protection order. The evidence was usually overwhelming – hundreds of text messages, missed calls, or social media posts.

¹ <https://www.justice.gov/archives/ovw/blog/many-sexual-assaults-follow-stalking>.

It is essential that every survivor of domestic violence, sexual violence, and stalking have a clear path to seek legal protection through the criminal justice system and through the protection from abuse order process. Being able to clearly and confidently obtain relief based on stalking is especially important when we acknowledge the high mental health and financial costs it causes. Clinical and epidemiological studies demonstrate the destructive effect of stalking on those who are stalked; being stalked is associated with severe and protracted suffering.² Stalking induces depression, anxiety, chronic stress, and other maladies.³ One study of 100 stalking victims found 83% of respondents reported increased anxiety, and more than half experienced intrusive recollections and flashbacks.⁴ The criteria for a post-traumatic stress diagnosis was met for 37% of participants, and 24% experienced suicidality.⁵

Many employed stalking victims lose time from work because of their victimization, and more than half of victims who reported losing time from work lost 5 days of work or more.⁶ Among victims who experienced cyberstalking, 48% reported negative employment consequences, which were exacerbated depending on frequency and whether the stalking also occurred offline.⁷

Because of these important concerns, it is vitally important that the Maine statute for stalking is amended to provide stability to survivors.

Thank you for your consideration. We hope you will support LD 2085 and would be pleased to answer any questions you might have.

² Jan H. Kamphuis & Paul M.G. Emmelkamp, *Traumatic Distress Among Support-Seeking Female Victims of Stalking*, *The American Journal of Psychiatry*, 158: 795-798 (May 2001) (finding similar clinical results amongst several studies conduct in the United States, Australia and the Netherlands).

³ Paul Mullen, Michele Pathe & Rosemary Purcell, *Stalkers and their Victims, Reducing the Impact of Stalking on Victims*. (262-281) Cambridge: Cambridge University Press (2009).

⁴ Michele Pathe & Paul Mullen, *The Impact of Stalkers on their Victims*, *The British Journal of Psychiatry*, 170(1), 12-17 (1997).

⁵ *Id.*

⁶ *Id.*

⁷ Erica R. Fissel & Bradford W. Reynolds, *The Aftermath of Cyberstalking: School, Work, Social, and Health Costs of Victimization*, *American Journal of Criminal Justice*, 45(1), 70-87 (2020), <https://link.springer.com/article/10.1007/s12103-019-09489-1>.

About Maine's Sexual Assault Service Providers

One in five Mainers will experience sexual assault at some point in their lifetime.⁸ Each year, 14,000 Mainers will experience sexual violence.⁹

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

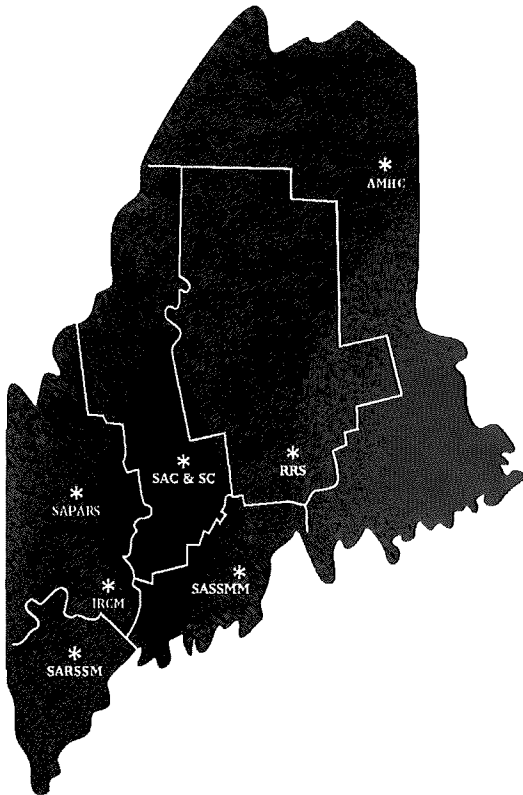
⁸ Dumont, R. & Shaler, G. (2015). *Maine Crime Victimization Report: Informing public policy for safer communities*. Muskie School of Public Service, University of Southern Maine.

⁹ *Ibid.*

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MAINE COALITION AGAINST
SEXUAL ASSAULT

info@mecasa.org | mecasa.org
207-626-0034



STATEWIDE
SEXUAL ASSAULT HELPLINE
1-800-871-7741

Free. Private. 24/7.

MAINE'S SEXUAL ASSAULT SUPPORT CENTERS

AMHC Sexual Assault Services (AMHC)

Serving Aroostook, Hancock, & Washington Counties •
amhesexualassaultservices.org

Immigrant Resource Center of Maine

Serving Androscoggin & Cumberland Counties • ircofmaine.org

Rape Response Services (RRS)

Serving Penobscot & Piscataquis Counties • rrsonline.org

Sexual Assault Prevention & Response Services (SAPARS)

Serving Androscoggin, Oxford & Franklin Counties and the towns of
Bridgton & Harrison • sapars.org

Sexual Assault Crisis & Support Center (SAC & SC)

Serving Kennebec & Somerset Counties • silentnomore.org

Sexual Assault Response Services of Southern Maine (SARSSM)

Serving Cumberland & York Counties • sarsonline.org

Sexual Assault Support Services of Midcoast Maine (SASSMM)

Serving Eastern Cumberland, Sagadahoc, Knox, Waldo & Lincoln
Counties • sassmm.org

MORE SEXUAL VIOLENCE SERVICES

Maine TransNet • mainetrans.net • info@mainetransnet.org

Wabanaki Women's Coalition • wabanakiwomenscoalition.org
207-763-3478

Aroostook Band of Micmacs, Domestic & Sexual Violence
Advocacy Center • 207-551-3639

Houlton Band of Maliseets, Domestic & Sexual Violence
Advocacy Center • 207-532-6401

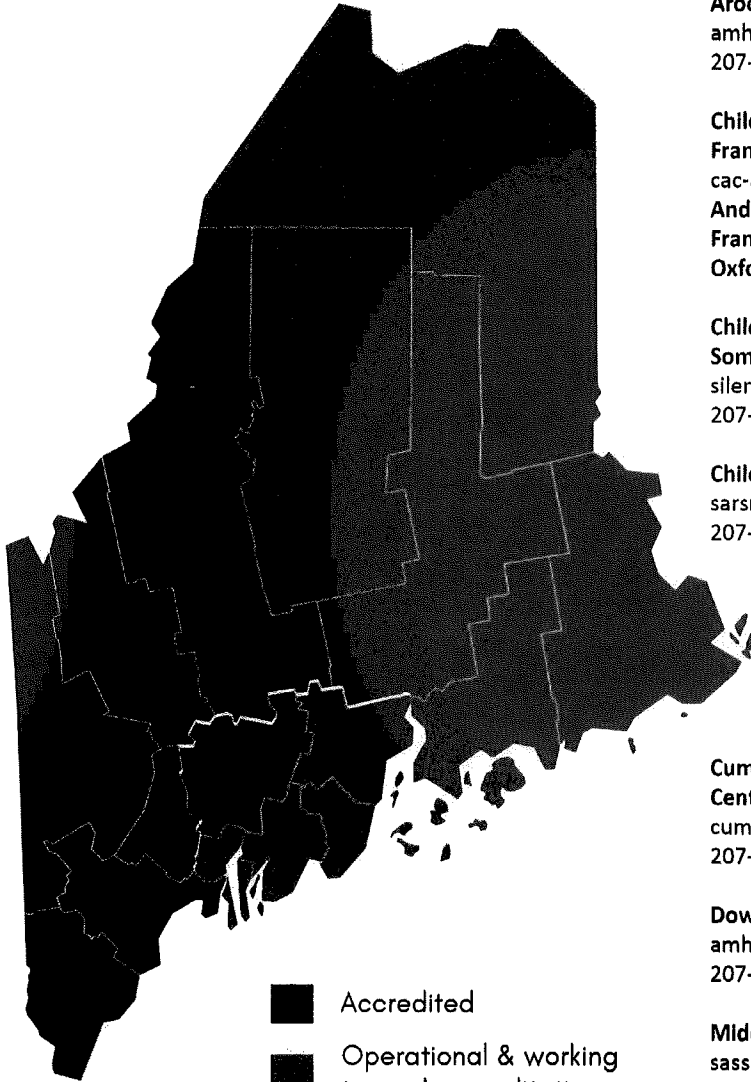
Indian Township Passamaquoddy, Domestic & Sexual
Violence Advocacy Center • 207-214-1917

Passamaquoddy Peaceful Relations • 1-877-853-2613

Penobscot Indian Nation, Domestic & Sexual Violence
Advocacy Center • 207-631-4886



Maine's Children's Advocacy Centers



Aroostook County Children's Advocacy Center
amhcsas.org
207-472-6134

Children's Advocacy Center of Androscoggin, Franklin, and Oxford Counties
cac-af0.org
Androscoggin: 207-784-0436
Franklin: 207-778-9777
Oxford: 207-739-1228

Children's Advocacy Center of Kennebec & Somerset Counties
silentnomore.org/about-our-cac
207-861-4491

Children's Advocacy Center of York County
sarsmm.org
207-459-2380

Cumberland County Children's Advocacy Center
cumberlandcountycac.org
207-879-6160

Downeast Children's Advocacy Center
amhcsas.org
207-255-3687

Midcoast Children's Advocacy Center
sassmm.org
207-522-7162

Penquils Children's Advocacy Center
penquiscac.org
207-974-2469