

STATE OF MAINE

KATHRYN SLATTERY  
DISTRICT I

JACQUELINE SARTORIS  
DISTRICT II

NEIL MCLEAN  
DISTRICT III

MAEGHAN MALONEY  
DISTRICT IV



R. CHRISTOPHER ALMY  
DISTRICT V

NATASHA IRVING  
DISTRICT VI

ROBERT GRANGER  
DISTRICT VII

TODD R. COLLINS  
DISTRICT VIII

MAINE PROSECUTORS ASSOCIATION  
SHIRA BURNS, EXECUTIVE DIRECTOR

“An Act to Protect Victims of Domestic Abuse and Violence by Amending the Law Regarding Proximity Restrictions in Final Protection from Abuse Orders”  
Before the Joint Standing Committee on Judiciary  
Public Hearing Date: January 24, 2024  
Testimony in Support of LD 2103

Senator Carney, Representative Moonen and members of the Joint Standing Committee on Judiciary. My name is Shira Burns and I represent the Maine Prosecutors Association. I am here to testify in support of LD 2103.

The prosecutors' offices across the State has the responsibility to prosecute violation of Protection From Abuse orders. This means a judicial officer has told someone not to do something and they went against the judge's order and still did it. These are high risk offenders. They are informally telling their victims that no judge or piece of paper can stop them from what they choose to do. There can be no gray area in these orders as any ambiguity will always be in favor of the abuser.

The Domestic Violence Homicide Review Panel<sup>1</sup> has made many recommendations regarding Protection From Abuse orders specifically recommending to the judiciary that “judges use specific language when crafting Protection From Abuse orders especially regarding open exceptions to the prohibition of contact.” The Panel further recommends “vigorous prosecution of Protection from Abuse order violations resulting from offenders who make indirect contact with victims.”

To comply with these recommendations to both the judiciary and prosecutors, clear and legible orders are needed. The more black and white an order is, the more enforceable it will be. Having a clear place on a Protection From Abuse order that will allow a judicial officer to direct an abuser to refrain a certain distance away from their victim is clarity that helps keep a victim safe and holds an offender accountable when they violate the order. In York County, I commonly prosecuted New Hampshire violations of bail and protection orders that have this directive on their orders as a default. They were clear violations that I could prosecute vigorously at the recommendation of the Domestic Violence Homicide Review Panel.

For these reasons, the Maine Prosecutors Association is in support of LD 2103.