



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 2161: "An Act to Make Technical Corrections to the Maine Juvenile Code,  
the Maine Criminal Code and the Intelligence and Investigative Record Information Act"  
Before the Joint Standing Committee on Criminal Justice and Public Safety  
Monday, January 29, 2024**

Senator Beebe-Center, Representative Salisbury, and distinguished members of the Joint Standing Committee on Criminal Justice and Public Safety, I am writing on behalf of the Maine Coalition to End Domestic Violence (MCEDV)<sup>1</sup> to support Section 3 of LD 2161.

During the 1<sup>st</sup> session, LD 1438 was reviewed by this Committee. The intention of the bill was twofold: (1) to support the law enforcement response in stalking cases; and (2) to ensure that crime victims could access their own police reports without being assessed a fee. With respect to the second goal, the original bill language proposed amending Title 16, Section 805. Prior to the public hearing, Representative Warren was advised that the proposed language modifying Section 805 could create situations where someone who shouldn't have access to the information would be entitled to receive it; the original bill language also referenced FOAA, which is inconsistent with how access is accomplished in both Section 805 and 806. As that was not the intention, Representative Warren submitted an amendment that instead proposed adding language to Section 806; this would accomplish the goal of allowing crime victims to access police reports without being charged, without potentially causing unintended harm that could result in expanding access. The sponsor's amendment was intended to replace the bill, not supplement it.

The Committee's work session discussion on May 10th, and ultimately Representative Hasenfus' prevailing motion, made it clear that the Committee's intention was merely to ensure crime victims could access information they're already receiving without cost – not to expand the scope of what could be accessed. The Committee voted unanimously to support the content of Representative Warren's proposed amendment. Unfortunately, at the end of the last session, the Committee amendment to the bill that was reported out added Representative Warren's amendment to the original bill language, instead of replacing the bill language; and the problematic language that the original bill proposed became Section 805-A.

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<sup>1</sup> MCEDV represents a membership of the eight regional domestic violence resource centers across Maine as well as two culturally specific service providers. Last year, our programs provided services to more than 12,000 survivors of domestic abuse and violence and their children in our state.

MCEDV spoke to Representative Warren in November; she gave her blessing for us to work with Attorney Yustak, the chair of the Criminal Law Advisory Commission to support CLAC submitting legislation to correct this administrative error. Section 3 of LD 2161 is merely a technical fix to remove language that was not ever supposed to be enacted as chaptered law; it will ensure that the Committee's intentions on LD 1438 are accurately reflected in Title 16.

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