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**"An Act to Clarify the Rights of Crime Victim and Witnesses Regarding
Professional Investigator Communications"**
Before the Joint Standing Committee on Criminal Justice and Public Safety
Public Hearing Date: March 17, 2025
Testimony in SUPPORT of LD 534

Senator Beebe-Center, Representative Hasenfus and members of the Joint Standing Committee on Criminal Justice and Public Safety. My name is Lynn Talbot and I a victim witness advocate in the Knox County District Attorney's Office. I am been in that role for 27 years. I am testifying today in support of LD 534.

It is extremely common to have professional investigators reach out to crime victims as they go through the criminal justice process. It is most common when the crime is associated with domestic violence or sexual abuse. Part of my job is to keep those crime victims informed of the process and connect them with community partners to engage with different support systems.

In my thousands of conversations with crime victims, very often victims believe that the professional investigator they spoke with works for the prosecution because they say they are "working for the state." I would go on to say that more than half of the victims I have communicated with where a professional investigator has been retained in the case believe the professional investigator works for the District Attorney's Office.

This is alarming for many reasons. First, transparency with crime victims, especially victims that have endured trauma through their victimization, is very important. All aspects of the criminal justice process need to be clear, including what role each person has in the process. There should never be gray lines on who someone is communicating with and the purpose of that communication.

Second, crime victims are more likely to disclose confidential safety planning information to a professional investigator if the crime victim thinks they are associated with the District Attorney's Office. 17-A M.R.S. § 2109 and 16 M.R.S. § 53-C provides that communications by a victim to a victim witness advocate are privileged, subject to exceptions. For instance, if a victim tells me she is now living with a friend or at a confidential shelter that is information I would keep confidential. That safety planning information could easily be shared with a professional investigator that shows up at the victim's place of employment and says they won't bother her now at work, but can stop by where she is living tonight. If the victim believes she is speaking with the District Attorney's Office, she might freely give up her new address which then will be shared with her abuser.

In my role as a victim witness advocate, I have had to relay messages for professional investigators to stop contacting a victim at their request. Currently, when a victim says go away to a professional investigator, they then may show up at her place of work, education, or child's soccer game the next day or continue to call and/or text her. When a victim says stop, it needs to stop. This bill will allow a victim to have some control over their everyday life and safety when they have been forced to be part of a criminal justice system they never wanted to be part of.

For those reasons, I ask you to support LD 534.