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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 Ross Whitford, I am a victim witness coordinator in the Penobscot County District Attorney's Office and I am testifying today in support of LD 534.

My job is to work with victims of crime and to guide them through the criminal legal process. I spend my days answering questions by phone or in court providing emotional support. Survivors of domestic violence and sexual assault who have had their trust in others so utterly broken often have questions and concerns in regards to how they can plan for their safety and the safety of their immediate family.

I am occasionally asked about the involvement of professional or private investigators. In these instances, victims are often confused as to who these private investigators work for, and on more than one occasion, victims have reached out to tell me that they just talked with an investigator and that they hope the information they provided will be helpful to our case. These victims are often mortified to hear that we do not work with private investigators, and that they are only hired by the defense.

In one case involving multiple charges of unlawful sexual touching, a private investigator called and showed up to the house of the juvenile victim to ask their parent if they could speak to the juvenile, a request that was denied on multiple occasions by both parent and victim. Thankfully, the family quickly reached out to ask if the private investigator had been hired by the prosecution and I was able to tell them that they had not.

In another case involving theft and forgery charges, the victim's brother-in-law, who was a listed witness on the case, received text messages from an unknown number that the victim believed were suspicious and wanted to know if they should interact with the sender.

In both cases, the private investigator had stated that they were working on the case and were trying to gather additional information, but they did not clarify in what capacity, or for which attorney. In another instance, I answered a call from a victim saying that they no longer wanted to pursue charges against the defendant and that they had just talked to the private investigator who had been able to "clarify things" for the victim.

In all of these cases as well as in others, victims are unsure of what they should do and what they are required to do. I work hard every day to develop relationships with victims to provide a degree of transparency to the system, and I am concerned that private investigators muddy that transparency.

I believe this bill will give clarity to victims on who it is that they are talking to and exactly who will benefit from speaking with the private investigator, the defendant.

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