



The Maine Coalition
to End Domestic Violence

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LD 981, An Act to Provide Electronic Notification to Victims of Crime
Before the Joint Standing Committee on Criminal Justice and Public Safety
Wednesday, March 26, 2025

Testimony on behalf of the Maine Coalition to End Domestic Violence Neither for Nor Against

Senator Beebe-Center, Representative Hasenfus, 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) (FN), to express our general support for the state moving towards implementation of a statewide electronic victim notification system, but to raise questions and concerns for your consideration and to suggest that more time is needed to ensure that crime victims are best served with such a system.

If the Committee were to carry this bill over to the 2nd Regular Session, MCEDV believes it is highly likely that victim services providers, including all of those within our network, would be able to stand in strong support with Maine Sheriff's Association on a more comprehensive proposal that would reflect the shared understandings that we believe are needed in order to best serve crime victims in Maine long-term.

MCEDV appreciates that Maine's 16 county sheriffs care deeply about public safety and the rights and needs of crime victims, and we know that this proposal is put forward with the best of intentions to improve the state's ability to see to both. MCEDV hears often from victims of domestic abuse and violence that they were not notified, as required under Maine law, when the person who has harmed them was released from a county jail. This is true for both pre-trial and post-conviction release and not isolated to any particular county. While the county jail system has had statutory obligations around victim notification for decades, these facilities have never been resourced to do that work in a meaningful way. Implementation of a statewide electronic victim notification system could be an important mechanism to change that reality. MCEDV and our member programs, serving more than 12,000 crime victims every year, support the ultimate goals of LD 981.

However, MCEDV is concerned that necessary and appropriate, collaborative conversations about how such a system would be implemented and sustained have not yet been had. As a result, we have many outstanding questions, and we have significant reservations about modification to victim notification statutes before those conversations can happen, before questions can have thoughtful and comprehensive answers, and before there is a solid commitment by all the counties to a standard, statewide set of policies and practices that will support statewide implementation.

Below is a sample of the issues that MCEDV believes should be thoughtfully worked through in partnership with service providers, like Maine's domestic violence resource centers, who work closely with crime victims in many of the cases for which defendants are incarcerated in county jail facilities, before victim notification statutes are modified and funds are allocated:

- **Victim Choice.** The proposed statutory modifications do not commit to giving victims the choice as to how they will be notified of a defendant's release. As currently drafted, each county jail facility could decide on their own whether to maintain current practice with respect to victim notification or to input victim contact information into the electronic notification database and fulfill the victim notification requirement through this electronic notification system. If such a choice were made, a victim could receive an electronic notification not having ever known that their information would be input into this system. As drafted, the facility could decide whether to notify the victim via text, via email or via undefined "application based capabilities," or all three, regardless of victim preference. **Victim choice as to whether or not they are enrolled in an electronic notification system should be a commitment codified in the statute.**
- **Timing of Post Conviction Notification.** Currently, Title 17-A, section 2106 requires notification of "impending release as soon as the release date is set." However, it is our understanding that the electronic notification system that the county jail facilities have just begun piloting only alerts the victim once the system gets an alert that the defendant's status has changed (i.e. has been released or transferred). How are the county facilities going to respond to the requirement to notify crime victims of "impending release as soon as the release date is set" when using the electronic notification system? The proposed requirements for an electronic notification system set out in Section 7 of this bill do not currently require the chosen system to have this capability.
- **Pre-Trial Release Notification Practice in High Risk Cases.** Title 17-A, section 2107 sets out particular requirements for county jails regarding pre-trial release of defendants charged with certain crimes, to include domestic violence, sexual assault and stalking. This statute requires the county facilities to make an attempt to directly reach the victim when a defendant is being released pre-trial. If they can't reach the victim, the statute directs them to be in touch with local law enforcement to seek their assistance with victim notification of pre-trial release in these typically high-risk cases.

It is our understanding that the county jails who are currently participating, or will be participating, in the pilot project that was launched in March have determined that they need to continue to notify victims by phone, as they do now, because there is not a way to either: enter victim contact information into the electronic notification system manually (for most county jails); or to be confident, at least at this juncture, that a victim has actually received a notice that was sent.¹ Despite these challenges/questions about how the electronic system being implemented can or cannot be aligned with statutory requirements for pre-trial release notification in these case types, the bill proposes modifications to this section of law to give the county jail facilities the ability to utilize the electronic notification system for the purpose of

¹ Though we understand the VINE system can incorporate a PIN system for victims to confirm they have received the message, information has not yet been shared with Maine's DV services providers as to whether a PIN confirmation system will be part of the system here or, if so, how the PIN will be generated and the timeframes in which the county facilities would then act to be in communication with local law enforcement for follow up.



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notifying crime victims of pre-trial release without case type exceptions. Ideally, there would be statewide agreement across the 15 county jail facilities with respect to how pre-trial release notifications in these case types will be handled prior to any county implementing this system, in order to ensure that statutorily required notifications are not inadvertently missed.^{2 3}

- **Sustaining Implementation.** LD 981 as presented suggests that there are no costs that need to be addressed beyond fiscal year 25-26. However, there will be more than a nominal annual cost to sustain any electronic notification system. In fact, it is our understanding that these costs tend to increase year over year. While some of the counties are committed to funding their ongoing ability to have the electronic notification system, not all counties are willing to make that commitment. There is no agreement amongst the 16 counties as to how the implementation of this program will be sustained long-term.

What will happen if the state invests more than half a million dollars into the implementation of the electronic notification system without a plan for how to address known annual costs to sustain it? Will community members sign up believing they will receive an electronic notification of a defendant's release only to have that system be defunct in the relevant county by the time the defendant is released? This could have broader impact than just on direct victims of any given crime, as the electronic notification system being implemented by the counties would allow any interested party to register for notification of a defendant's release. Maintenance of the system is noted in the Bill Summary. However, it is our understanding that the fiscal cost presented in LD 981 only covers implementation, not maintenance. There is precedent in other states for a state general fund covering implementation costs, and yet practices vary significantly in terms of how annual costs are covered. What is the plan for sustainability in Maine?

² We note that the 15 county jails are independently operated. If victim notification statutes are changed prior to statewide agreement on policies and protocols, MCEDV observes a substantial risk that there will not be alignment amongst all 15 county jails as to policies and protocols, which would be a challenging reality for both victims and service providers to navigate.

³ MCEDV is also aware that other jurisdictions that have implemented electronic notification have done so with a policy that requires jail staff to input certain data entry regarding release before a person leaves the facility, to decrease the likelihood that the person arrives home in community before the victim is notified. This is the type of statewide policy that should be, but has not yet been, discussed here in Maine, and is something that, without a commitment to a standard, statewide policy, would risk being a practice that differs depending on county facility, despite implementation of a notification system with the same technical capabilities.

- **Ensuring System Integrity.** MCEDV has also asked for information as to what full time or part time staff have been assessed as necessary in other local, county, or state jurisdictions that have implemented an electronic notification system to help inform what staff may be needed here in Maine to ensure quality implementation and long-term system integrity. LD 981 does not contemplate that any staff will be necessary to administer the program statewide, to be a point of contact for victims and community stakeholders, or to triage any issues that might arise, but we are aware that other jurisdictions have found dedicated staff support to be necessary. This is a question that has remained unanswered by the Maine Sheriffs Association and the vendor currently involved in the pilot project.
- **Known Issues with VINE as Vendor.** The Maine Sheriffs Association is currently working with VINE as their vendor to implement electronic notification in the county facilities currently participating in the pilot project. MCEDV has received information that there have been at least two known problems with VINE in other jurisdictions that should be guarded against in advance of further rollout of this system.
 - **Protections Around Victim Contact Information.** The first issue that has been brought to our attention involves the use and distribution of data about crime victims that is contained in the electronic notification database. The enabling language in Section 7 of LD 981 should be amended to explicitly prohibit the sale of victim contact information as well as prohibiting the sharing of victim contact information with any third party that is not essential for the operation of the system.
 - **System Outages and Mass False Release Notifications.** The second issue is that there is precedent for there to be system outages, where notifications are not sent, as well as system glitches that result in the sending of false release notifications on a wide scale. Given these type of issues have happened with this vendor in the past, Maine partners should have a plan in place for how to address any similar problem that may occur in Maine. If/when such a thing were to happen, it would require a massive response from a variety of community partners across the state, very likely including the Maine Department of Corrections Office of Victim Services, as well as the programs of the Maine Coalition to End Domestic Violence and the Maine Coalition Against Sexual Assault, as operators of 24/7 helplines.
- **Unclear Bill Language.** There are provisions of LD 981 that remain unclear to us – provisions that have a direct relevance as to how an electronic notification system is intended to be implemented. These include:
 - Inclusion of the Department of Public Safety in Section 7. Will all local, county and state agencies in Maine have access to the electronic offender management system? What role is anticipated for the Department of Public Safety in this project?
 - The definitions of Application Based System and Application Based Capabilities. These terms appear to be terms of art but are undefined. Would using these terms in statute preclude the use of alternative vendors without statute change?
 - The capacity and intention around the need for such an electronic notification system to inform victims of “criminal justice proceedings considered to be in the best interest of crime victims in this state.” This language would seem to imply that the courts or the District Attorneys Offices would in some way be feeding information into the system that would then be distributed. MCEDV understands that is a possibility in some states. However, we are unaware of any conversations in Maine to have the electronic database implemented by the county jails also be used to distribute information from prosecutors and/or the courts, though that is certainly a conversation worth having.



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The current pilot project launched by the county jails in March 2025 was unfortunately launched without notification to any victim service provider, including victim witness advocates located in the county district attorneys offices, an oversight acknowledged by the Maine Sheriff's Association, for which we are appreciative. Community partners are now involved and meeting with the MSA and vendor representatives on an accelerated schedule to attempt to begin addressing some of these issues to ensure both: (1) crime victims are not unintentionally ill-served by the implementation of VINE; and (2) that there is attention being paid to the need to implement this as a truly statewide system, where all of the county facilities are using the same practices, policies, procedures, etc., so that crime victims, service providers, and community members aren't required to keep track of different practices that may be implemented in different counties.

Electronic victim notification will ultimately be a good thing for crime victims as well as other community members who may have a public safety concern with any given incarcerated resident at a county jail facility. MCEDV is very supportive of this project moving forward. **However, we do not support the modification of victim notification statutes – which represent the core, foundational commitments to crime victims who are involved in a criminal legal system process – without these issues being thoughtfully addressed, collaboratively, transparently, and in advance.**