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04333-0111

RANDALL A. LIBERTY  
COMMISSIONER

## TESTIMONY OF

**SAM PRAWER, DIRECTOR OF GOVERNMENT AFFAIRS**  
**MAINE DEPARTMENT OF CORRECTIONS**

**March 26, 2025**

**Neither for nor against:**

### **LD 981, An Act to Provide Electronic Notification to Victims of Crimes**

Senator Beebe-Center, Representative Hasenfus and distinguished members of the Joint Standing Committee on Criminal Justice and Public Safety, I am Sam Prawer, Director of Government Affairs at the Maine Department of Corrections (DOC) providing testimony today neither for nor against LD 981, An Act to Provide Electronic Notification to Victims of Crimes.

Under current Maine law, there are a number of provisions that dictate when and how notice is required to be provided to victims of crime, including 15 MRS §2138(13), 15 MRS §6101(1), 17-A MRS §2106(2), and 17-A MRS §2107, all provisions amended by the proposal before you today. Notice under these provisions is typically required in one of two ways, either by first-class mail or by telephone call, depending on the section. At Maine Department of Corrections, our Victim Services team works tirelessly to ensure that adequate and prompt notice is provided to victims of crimes committed by offenders in DOC custody. This work is often time intensive and emotional for the team members involved, due to the fact that often victims have questions and concerns related to the notice they are receiving, and many are still processing trauma related to the circumstances of the underlying offense.

It is our understanding that, despite the department's inclusion in the bill as printed, the intent behind this proposal is to support a pilot project being pursued by the county jails to implement an electronic victim notification system, which does not include the Maine Department of Corrections. That approach is fine with the department, as we are not seeking to implement electronic victim notification at this time. However, as the primary executive branch agency tasked with providing victim services post-conviction, our team does have a few concerns that we believe should be addressed before allowing electronic victim notification to move forward. Those concerns are summarized below:

- A. Executive Agencies Should be Removed.** Specifically, Section 7 of the bill, as printed, includes language stating that "The council shall contract with a commercial real-time automated crime victims notification system intended to develop, support, house and maintain the automated crime victims notification system for use by the Department of Public Safety, the Maine Sheriffs' Association and the Department of Corrections." If this proposal is not meant to apply to DOC, then DOC should be removed. Similarly, it is not clear why DPS has been included in this list, given that DPS does not have a role to play in victim notification. DPS should also be removed from this proposal.
- B. Victim Choice.** The proposal provides an option in statute for victim notification to happen through electronic means, but it does not ensure that victims can opt for traditional methods of notification if they would prefer mail or a phone call. Some victims may not want electronic notification and our team believes that the traditional methods should remain available, by statute. The statute should also be clear about how that option is presented to victims.



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- C. Victim Questions and Concerns.** As mentioned previously, our victim services team spends a lot of time addressing the questions and concerns that come from victims upon receiving notifications. Because we feel strongly about that being an important part of the notification process, our team recommends that some protections be included to ensure that victims will always have someone to call who can answer their questions about a notice they've received. The statute should be clear that an electronic notification system is another tool at the disposal of the jails, not a replacement, and it should outline the kind of contact information that must be provided if victims have questions.
- D. Data Protections.** Another concern expressed by our victim services team is the lack of data protections included in the statutory language. While we've been informed by those behind this proposal that the contract they are pursuing with the electronic notification provider prohibits the sale of victim data to third party entities, our team recommend that those protections should also be clear in statute.
- E. Obligations to Correct Information.** With the increased efficiency and added benefit of electronic notification systems also comes the added opportunity for error beyond what can occur with traditional notice. There have been instances in other states where system errors have either resulted in broad victim notification outages or broad erroneous notifications. While we understand that the provider identified by those behind this proposal has provided assurances of their ability to adequately address these issues, our team recommends that obligations for error correction or outage correction should be also be addressed in statute. Erroneous or failed notifications can be retraumatizing for victims and there needs to be a clear pathway for addressing that.
- F. Managing Entity.** The bill identifies the County Corrections Professional Standards Council as the entity responsible for contracting for this system. Under this proposal the CCPSC will be responsible for establishing an automated crime victims notification system and contracting with a commercial provider for that system. It is unclear to the department whether the CCPSC is the appropriate entity to establish this system and whether it has the resources to continually manage the contract. We believe the CCPSC may need additional staff resources to manage this appropriately.
- G. Potential Cost for DOC.** Finally, it's worth highlighting that even if this proposal creates no additional formal obligations for the Department of Corrections, our team does anticipate a meaningful increase in calls and questions from victims across the state. Currently, many victims are underinformed about the circumstances related to the incarceration of the offender that harmed them, and it is often the case that our victim services team fields phone calls from those victims with questions and concerns about notifications they did, or did not, receive related to offenders who are not in DOC custody. Our team anticipates a potentially significant increase in these calls to result from the transition to an electronic notification system, especially if it is not clear who the victims can call to have their concerns resolved. Our victim services team is very small (five positions total) and already stretched thin with their current workload. On top of that, the funding for one of those positions remains uncertain as it's supported by Victims of Crime Act dollars. We simply cannot absorb a significant increase without adding additional support. For that reason DOC expects that this bill will result in one additional position in our victim services team.

The department shares these concerns because we believe that if the state is going to move forward with electronic victim notification, it should be done in the most thoughtful and precise way possible to ensure the highest level of service and



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protection to victims. We offer these suggestions as a roadmap to achieving that goal. However, we have not been involved in this conversation long enough to offer clear statutory language and we believe there are still many conversations to be had about how to best address the concerns noted above. While we're supportive of the concept, we believe that more time is necessary to properly address these concerns and others. Our team would be more than happy to be part of that conversation.

For the reasons stated above, the Department respectfully presents this testimony neither for nor against this proposal.

This concludes my testimony.

I am happy to answer any questions.

Sam Prawer  
Director of Government Affairs  
Maine Department of Corrections