

April 25, 2025

Senator Carney, Representative Kuhn, and Members of the Joint Standing Committee on Judiciary:

My name is Melissa Martin, and I am offering testimony today on behalf of the Maine Coalition Against Sexual Assault (MECASA), the organization which represents and serves Maine's sexual violence prevention and response programs as well as Maine's Children's Advocacy Centers. MECASA initiates and advocates for victim-centered public policy; provides expert training, technical assistance, and resources for providers and partners; and funds the service providers in your communities.

MECASA is here today in support of LD 1651, "An Act to Remove the Term "Alleged" When Referring to Victims of Sexual Assault in the Maine Revised Statutes." Thank you to Representative Pugh for sponsoring this important legislation.

Multiple dictionary definitions of "alleged" specify that it is a statement made "without proof". By inserting "alleged" to describe sexual violence crimes in Maine statutes, the language of the statute itself calls into question the credibility of sexual harm survivors before any facts are even established in an investigation. In particular, LD 1651 amends the sections of Maine law about sexual assault forensic examinations to remove the term alleged from sections of statute referring to actual evidence collection.

This is appropriate and necessary for a few reasons. First, not all sexual harm survivors who have sexual assault forensic evidence collected are even reporting their assault to police. As this Committee is well aware, there are two types of sexual assault forensic evidence in Maine—anonymous and reported. Using the term "alleged" connected to the collection of medical evidence when no report is being made is entirely inaccurate because the victim is in fact alleging no legal claim, they are simply receiving medical care and having evidence collected.

Second, even in cases where the survivor is reporting, the use of the word alleged perpetuates that reports of sexual violence are in general somehow less credible than reports of other crimes. In many types of crimes, we refer to someone as a victim, person, or family member without qualifiers. But in cases of sexual violence, the use of "alleged" is disproportionately applied, which

subtly undermines the legitimacy of the report in ways we don't see with other charges. This is unreasonable because false reporting rates for sexual assault are on par with or lower than those for other types of violent crimes. Decades of research show the false reporting rate for sexual assault is on par with false reporting rates for crimes like robbery and physical assault.¹ Therefore, sexual violence survivors deserve to be described in the same unbiased language we would use to refer to any other crime victim or reporting party.

Further, this is simply the best practice as identified by national and international resources. Here is one example discussing best practice for journalists:

Alleged is also one of the words most commonly used by the media when describing rape. It implies skepticism and mistrust towards the women reporting this crime. In contrast, deny accurately describes a perpetrator's statement without passing judgement. Despite the word report carrying the same neutrality without compromising any legal requirement to avoid prosecution for libel, this word is not often used to present women's accounts. The press also frequently uses alleged victims or alleged incidents; expressions that directly question whether the event actually happened. Specifically, This difference means that women's words are presented as unproven and possibly false, as alleged wrongly stresses a woman's perceived motivation to lie.²

This law does not change anything about the weight of evidence required for a sexual assault conviction or any definitions in the Maine criminal code. It simply corrects language in Maine law to remove biased and unnecessarily skeptical language about reports of sexual harm. Fear of not being believed is one of the most significant barriers to reporting sexual violence. When statutory language embeds doubt through words like "alleged", it reinforces this fear and can deter survivors from seeking help or participating in the justice system. Updating statutes to use neutral, accurate language helps ensure fairness, reduces stigma, and acknowledges the legitimacy of survivors' experiences without pre-judging the outcome of a case.

For these reasons, we strongly support the bill. Thank you for your consideration. We hope you will support LD 1651 and would be pleased to answer any questions you might have.

¹ Lisak, D., Gardinier, L., Nicksa, S. C., & Cote, A. M. (2010). *False allegations of sexual assault: An analysis of ten years of reported cases*. *Violence Against Women*, 16(12), 1318–1334.
<https://doi.org/10.1177/1077801210387747>

² End Violence Against Women, Reporting on Rape: Changing the Narrative

About Maine's Sexual Assault Service Providers

One in five Mainers will experience sexual assault at some point in their lifetime.³ Each year, 19,000 Mainers will experience sexual violence.⁴

Maine's sexual violence service providers provide free and confidential services across the state to victims/survivors of sexual harassment and sexual assault and those close to them, as well as to individuals who wish to increase their understanding of the issues. Just some of the services include a 24-hour statewide sexual assault helpline, crisis intervention and information, support groups, in-person accompaniment and advocacy through the medical and legal systems, and school- and community-based prevention education. Services are provided for a victim/survivor regardless of when they experienced sexual violence, and regardless of what type of sexual violence they experienced. Types of sexual violence include, but are not limited to, sexual harassment and gender-based bullying, child sexual abuse, elder sexual abuse, stalking, sex trafficking, and sexual violence within an intimate partner relationship.

24/7 Confidential

Maine Sexual Assault Helpline: 1-800-871-7741

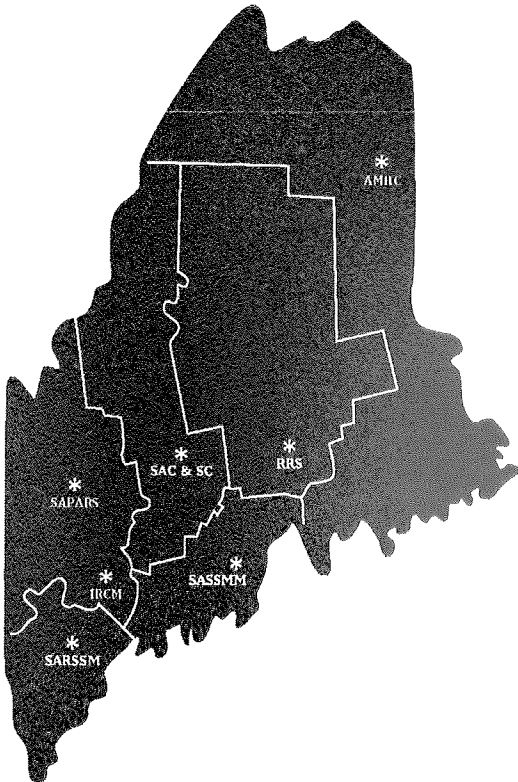
³ Murray, C., Dumont, R & Shaler, G. (2022). *Maine Crime Victimization Report: Informing public policy for safer communities*. Maine Statistical Analysis Center. University of Southern Maine.

⁴ *Ibid.*

mecasa

**MAINE COALITION AGAINST
SEXUAL ASSAULT**

info@mecasa.org | mecasa.org
207-626-0034



**STATEWIDE
SEXUAL ASSAULT HELPLINE
1-800-871-7741**

Free. Private. 24/7.

MAINE'S SEXUAL ASSAULT SUPPORT CENTERS

AMHC Sexual Assault Services (AMHC)

Serving Aroostook, Hancock, & Washington Counties •
amhcsas.org

Immigrant Resource Center of Maine

Serving Androscoggin & Cumberland Counties • ircofmaine.org

Rape Response Services (RRS)

Serving Penobscot & Piscataquis Counties • rrsonline.org

Sexual Assault Prevention & Response Services (SAPARS)

Serving Androscoggin, Oxford & Franklin Counties and the towns of
Bridgton & Harrison • sapars.org

Sexual Assault Crisis & Support Center (SAC & SC)

Serving Kennebec & Somerset Counties • silentnomore.org

Sexual Assault Response Services of Southern Maine (SARSSM)

Serving Cumberland & York Counties • sarssm.org

Sexual Assault Support Services of Midcoast Maine (SASSMM)

Serving Eastern Cumberland, Sagadahoc, Knox, Waldo & Lincoln
Counties • sassmm.org

MORE SEXUAL VIOLENCE SERVICES

Maine TransNet • mainetrans.net • info@mainetransnet.org

Wabanaki Women's Coalition • wabanakiwomenscoalition.org
207-763-3478

Aroostook Band of Micmacs, Domestic & Sexual Violence
Advocacy Center • 207-551-3639

Houlton Band of Maliseets, Domestic & Sexual Violence
Advocacy Center • 207-532-6401

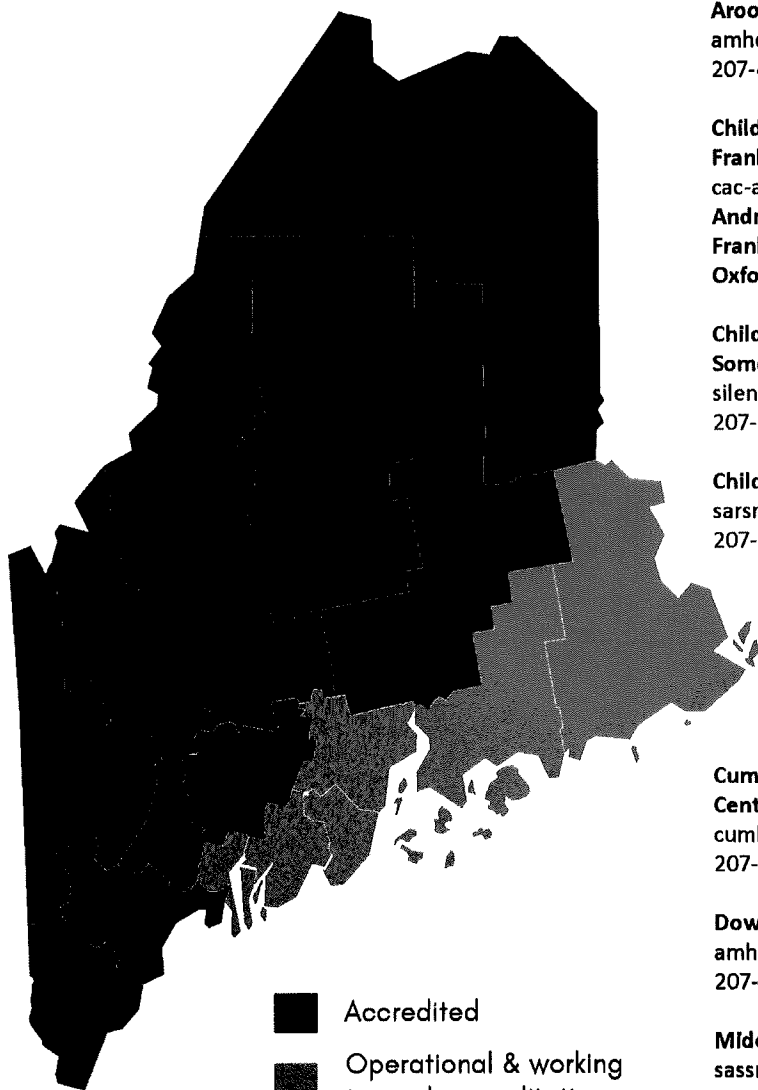
Indian Township Passamaquoddy, Domestic & Sexual
Violence Advocacy Center • 207-214-1917

Passamaquoddy Peaceful Relations • 1-877-853-2613

Penobscot Indian Nation, Domestic & Sexual Violence
Advocacy Center • 207-631-4886



Maine's Children's Advocacy Centers



Aroostook County Children's Advocacy Center
amhcsas.org
207-472-6134

Children's Advocacy Center of Androscoggin, Franklin, and Oxford Counties
cac-afn.org
Androscoggin: 207-784-0436
Franklin: 207-778-9777
Oxford: 207-739-1228

Children's Advocacy Center of Kennebec & Somerset Counties
silentnomore.org/about-our-cac
207-861-4491

Children's Advocacy Center of York County
sarsmm.org
207-459-2380

Cumberland County Children's Advocacy Center
cumberlandcountycac.org
207-879-6160

Downeast Children's Advocacy Center
amhcsas.org
207-255-3687

Midcoast Children's Advocacy Center
sassmm.org
207-522-7162

Penquis Children's Advocacy Center
penquiscac.org
207-974-2469