

me~~casa~~ MAINE COALITION AGAINST SEXUAL ASSAULT

January 29, 2026

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

My name is Marion Hylan Barr and I am submitting 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 2163, "An Act to Improve the Response to Complaints by Victims of Crime and Enhance Victims' Rights."

Today I want to focus on two portions of this bill that are deeply and adversely impacting sexual violence survivors in Maine - the process of accessing victims' records and the ability of victims to speak and be represented by counsel throughout the criminal legal process.

We are seeing a disturbing trend in sexual assault cases in the criminal legal system in Maine. Criminal defense attorneys are increasingly seeking access to extensive victim records, including medical records; mental health records; cell phone records, including text message conversations with friends and family members; and entire educational records. There have been several cases this past year where these records have been sought. The current process in Maine when these records are sought is somewhat unclear and out of step with other New England states.

For example, in one case where extensive mental health records of a victim were subpoenaed, a prosecutor was told that they could not argue against those records being turned over to the victim's former partner, because only the victim and the medical provider have a privacy interest in these records. This was not an outlier situation. Prosecutors are often told they cannot argue on behalf of the victims' records that are not in their possession. Therefore, it is essential that victims are provided notice from the court and an opportunity to be heard when their records are sought in a criminal proceeding.

Furthermore, it is essential that victims have the right to be represented by an attorney when their records are sought. In the above example, the victim was a very young adult. It would have been extremely challenging for her without an attorney to present the relevant law related to her medical records or to even know what was contained within her medical records.

In other New England states, such as Massachusetts¹ and New Hampshire², courts have acknowledged full and detailed processes that should be followed when a criminal defendant requests a victim's personal records. We must ensure that we are offering sexual assault survivors the same protections here in Maine. If we do not, we are further discouraging survivors from reporting crimes that already go unreported in many, many cases.

For all these reasons, we support LD 2163. Thank you for your consideration. We would be pleased to answer any questions that you might have.

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

¹ *Commonwealth v. Dwyer*, 448 Mass. 122 (2006)

² *State v. Zarella*, 2025 N.H. 20 (2025)

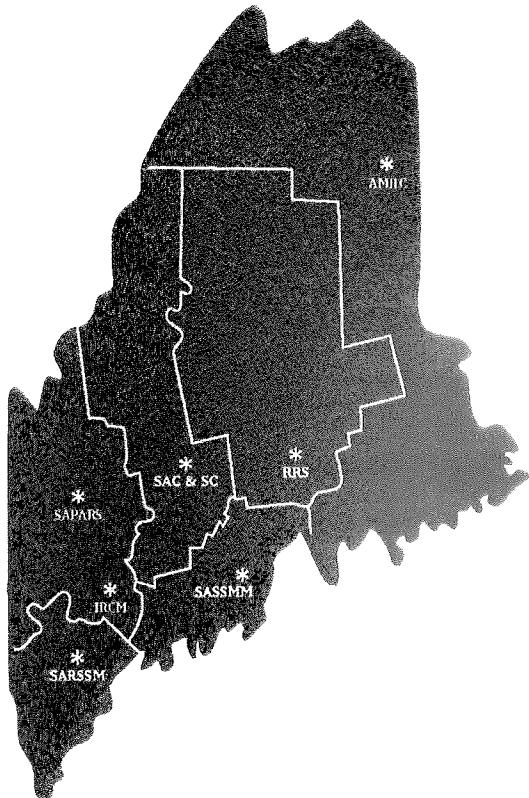
³ Dumont, R. & Shaler, G. (2015). *Maine Crime Victimization Report: Informing public policy for safer communities*. Muskie School of Public Service, University of Southern Maine.

⁴ *Ibid.*

mecasa

MAINE COALITION AGAINST
SEXUAL ASSAULT

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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 • amhcsexualassaultservices.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 • sarsonline.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

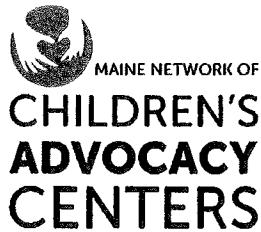
Aroostook Band of Micmacs, Domestic & Sexual Violence Advocacy Center • 207-551-3639

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

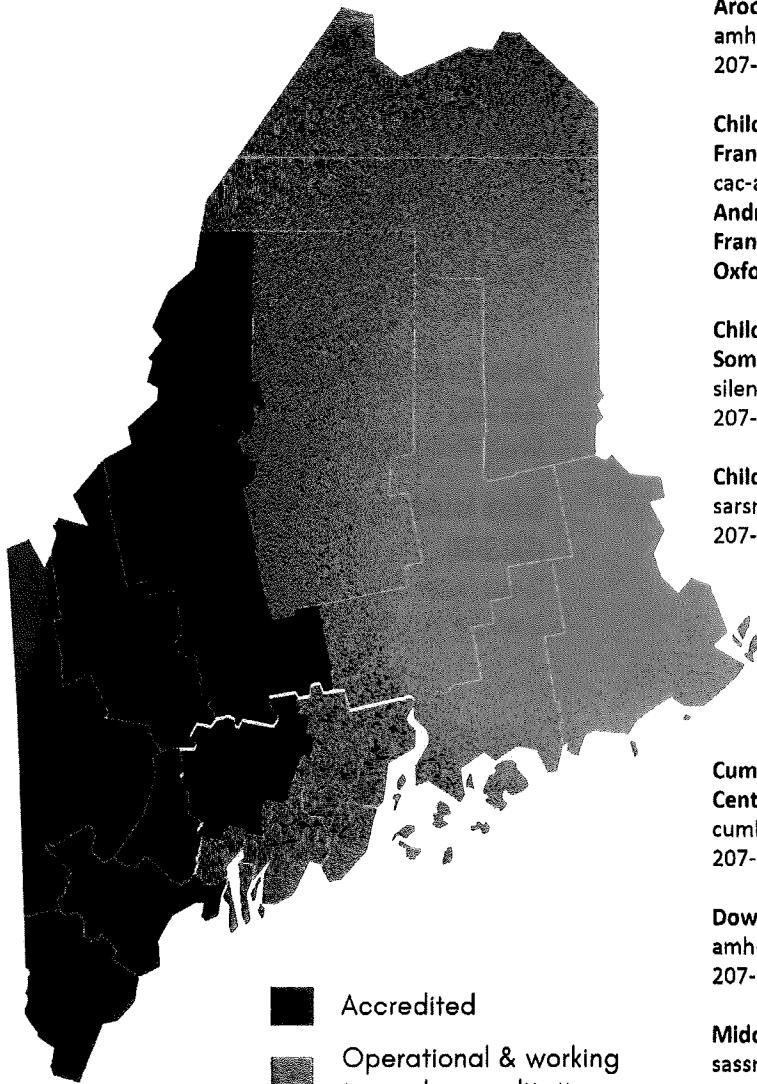
Indian Township Passamaquoddy, Domestic & Sexual Violence Advocacy Center • 207-214-1917

Passamaquoddy Peaceful Relations • 1-877-853-2013

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-afc.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