

MCEDV.

Maine Coalition to
End Domestic Violence

One Weston Court, Box 2, Augusta, ME 04330

Testimony of Francine Garland Stark

Speaking in opposition to L.D. 390

"An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2018 and June 30, 2019"
Before the Committee on Appropriations and Financial Affairs

Wednesday, February 22, 2017

Good morning Senator Hamper, Representative Gattine, members of the Committee on Appropriations and Financial Affairs; Senator Brakey, Representative Hymanson and members of the Committee on Health and Human Services, my name is Francine Garland Stark, and I live in Surry, Maine. I am speaking today on behalf of the Maine Coalition to End Domestic Violence in opposition to LD 390.

In 2016, the Domestic Violence Resource Centers that comprise the Maine Coalition to End Domestic Violence provided services for more than 12,000 adult victims of domestic abuse and violence, sheltering 428 adults and 314 children, providing legal services for more than 3600 people, and providing specialized support for more than 2,000 families in the child welfare system. Through 24 hour hotlines, outreach offices, shelters, and transitional housing sites, advocates help Maine's victims of domestic abuse and violence move from circumstances of terror and hopelessness to circumstances of possibility with plans to increase their safety, protect and nurture their children, and establish economically sustainable and stable lives.

There are many elements of LD 390 that would be devastating for people affected by domestic abuse and violence, and I am concerned about the limitations of "good cause" protections (§3785-B. *Domestic violence exception from sanctions for failure to participate*) as they are described in the proposal. While the "good cause exemption" would benefit a modest number of domestic violence survivors, I believe that far more would fall outside the intent of the "good cause" exemption for these reasons:

1. The language in the proposal reflects a broad range of ways in which domestic violence may impact survivors, yet it requires "verifiable evidence of domestic violence," which is often not available.
 - Most victims of domestic abuse and violence do not report their experience of abuse to authorities, and while many contact domestic violence resource centers, many tell no one or confide solely in a trusted friend or family member.
 - Much of what constitutes domestic abuse and violence is not against the law and is difficult to demonstrate as abusive; it is the daily, coercive, controlling tactics the perpetrator uses to maintain their position of power of the household.
2. Some victims of domestic abuse and violence have felony drug convictions.
 - Advocates often help victims of domestic violence whose abuser coerced them into using illegal drugs and becoming an accessory to the perpetrator's drug dealing activities. The domestic violence resource centers run support and education groups

in Maine's jails and prisons, and regardless of what criminal behavior resulted in their incarceration, women in Maine's correctional system overwhelmingly report a history of domestic and sexual violence. Yet these victims would be subject to a lifetime ban on SNAP and TANF as they try to reestablish themselves in the community and start lives.

3. Some victims of domestic violence are immigrants
 - Whether they came to Maine escaping war, as wives to American servicemen, as professionals pursuing careers – domestic violence is, unfortunately, common across cultural and national boundaries, and victims should be able to seek safety and temporary financial assistance to survive the process of escaping violence in their homes in Maine without risking destitution.
4. Some victims of domestic violence may have hit the lifetime limit for receiving TANF due to a past relationship and find themselves years later escaping another abusive partner. It is unclear from the bill's language whether a "good cause" exemption would apply in such a case. This would prevent them from receiving TANF in the second crisis **and** from receiving Alternative Aid.
5. Exempting people only for a current crisis of domestic violence fails to take into account the trauma of witnessing domestic violence as a child or growing into adulthood in a context of chaos created by perpetrators of domestic violence.
 - According to a report prepared by the Maine Medical Center Dept. of Vocational Services, 2,824 of the 4,613 people assessed for job readiness over a 2.25-year period had experienced abuse: 61%. Of these, 91% had experienced verbal abuse, 81% physical, 48% sexual. 19% reported that it affected their ability to work.

The limits on the ASPIRE and Parents as Scholars Programs proposed would be devastating to people escaping or recovering from domestic violence. Even if survivors of domestic violence were given "good cause" to be exempt from the work requirements (a vital exemption for single parents escaping abuse, particularly if their children have behavioral challenges resulting from their experience of witnessing domestic violence) a 12-month educational program would in only rare cases provide the foundation necessary for the person to earn a living wage.

The Job Readiness Requirement that the *applicant must attend a job-readiness and vocational evaluation and training program administered by the department or its designee* (Sec. FFFF-5. 22 MRSA §3762, sub-§21) does not appear to include a "good cause" exemption. Time is of the essence for survivors escaping domestic violence, and those in the midst of escaping abuse who are seeking TANF assistance are simultaneously engaged in many kinds of help seeking, trying to keep their children feeling secure and attended while figuring out the safest way to avoid whatever kind of retribution the perpetrator of domestic violence will level against them for trying to escape. The most dangerous time for victims of abuse is when the perpetrator of abuse becomes aware that the victim has decided to break off the relationship or has left the household. A job-readiness evaluation would delay critical financial support for this vulnerable family and affirm what perpetrators of domestic violence so frequently say to their victims: You can't survive without me. You are worthless. You will never make it on your own.

I ask that the committee vote against the further restriction of assistance for Maine's families living in poverty. While we may protect a few of those in need through exemptions in the short term, the larger impact will be to leave too many struggling to survive rather than achieving sustainable lives.

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