

**OFFICE OF POLICY AND LEGAL ANALYSIS
BILL ANALYSIS**

TO: Members, Joint Standing Committee on Criminal Justice and Public Safety

FROM: Jane Orbeton, Legislative Analyst

DATE: April 11, 2021

LD: 782 An Act To Implement the Recommendations of the Department of Corrections for Certified Batterer Intervention Programming

Summary

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to implement the recommendations of the Department of Corrections for improvement of certified batterer intervention programming in Maine.

Testimony

Proponents:

1. Representative Warren presented the bill and submitted written testimony. The bill was printed as a concept draft “to implement the recommendations of the Department of Corrections for improvement of certified batterer intervention programming in Maine.” Rep Warren testified that the DOC and the Maine Coalition to End Domestic Violence agree on a proposed committee amendment. The proposed amendment does the following:

- A. Changes the name batterers’ intervention program to domestic violence intervention program in the Title 17-A (Maine Criminal Code) and Title 19-A, §4014 (Protection from Abuse).
- B. Requires the attorney for the State, when a defendant is ordered to complete a certified domestic violence intervention program, within 7 days of the order to provide to the program the incident report from the most relevant criminal proceeding and the last known contact information for the victim in the criminal proceeding. The amendment authorizes release of victim information to the domestic violence intervention program in which the defendant has enrolled or will enroll or to the domestic violence center serving the same county as the program in which the defendant has enrolled or will enroll.
- C. Requires the attorney for the State to make good faith effort to notify the victim of the termination of probation because the defendant has completed at least one year of probation, has completed the domestic violence intervention program, has paid in full any court ordered victim restitution and has complied with all other conditions of probation. Current law qualifies this notification requirement to apply “when practicable.” The amendment repeals the wording “when practicable.”

2. Karen Wyman, Violence Prevention and Intervention Coordinator at the Maine Coalition to End Domestic Violence, testified in support of the bill as proposed to be amended and provided written testimony explaining the amendment.
3. Faye Luppi, representing the Maine Commission on Domestic and Sexual Abuse, spoke in support of the bill as amended and provided written testimony explaining the need for notification to the domestic violence intervention program to be provided directly by the attorney for the State in the criminal case.
4. Commissioner Randall Liberty, Department of Corrections, submitted written testimony in support of the bill which Anna Black, DOC Director of Government Affairs, presented to the committee.
5. Angela Emery submitted written testimony in support of the victim notification provisions in the proposed amendment, stressing the victim's right to know about early release from probation of an offender.

Opponents:

None

Neither for nor against:

None

Possible Amendments:

See proposed amendment from Rep Warren attached.

INFORMATION REQUESTED:

None