



## MAINE COMMISSION ON DOMESTIC AND SEXUAL ABUSE

### Testimony of Faye Luppi

#### Speaking in Support of LD 782 An Act to Implement the Recommendations of the Department of Corrections for Certified Batterer Intervention Programming Before the Joint Standing Committee on Criminal Justice and Public Safety

Date of Public Hearing: April 9, 2021, 1:00 p.m.

Senator Deschambeault, Representative Warren, and members of the Committee on Criminal Justice and Public Safety:

My name is Faye Luppi. I am a member of the Maine Commission on Domestic and Sexual Abuse (“the Commission”). I am here today speaking on behalf of the Commission in support of LD 782. First, I would like to thank Representative Warren, and her co-sponsors of L.D. 782, as well as this Committee, for their commitment to improving the safety of victims of domestic violence and sexual assault.

The Commission is comprised of law enforcement, attorneys, victim advocates, survivors, a judicial advisory member, and representatives from within state government.<sup>1</sup> The Commission is tasked with advising and assisting the executive, legislative and judicial branches of State Government on issues related to domestic and sexual abuse.<sup>2</sup>

The Commission members recognize the value of Certified Batterer Intervention Programs to the larger effort of a coordinated community response to domestic violence, and fully support the recommendations from the Department of Corrections outlined in this bill. Adopting this bill will further ensure that no one part of that response is working in isolation, and will enhance victim safety.

**Sections 1, 2, 4, and 5** of the bill address the **name change** from Certified Batterer Intervention Program (CBIP) to Certified Domestic Violence Intervention Program (CDVIP). Using labels such as “batterer” “criminalizes, punishes, and harms the person, as well as perpetuates an ‘us vs. them’ dichotomy, instead of dealing with the true nature of the problem.”<sup>3</sup> Changing the title to “Domestic Violence Intervention” more accurately describes the important work being carried

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<sup>1</sup> 19-A M.R.S. 4013 (1)

<sup>2</sup> 19-A M.R.S. 4013 (2)

<sup>3</sup> Joan Tu, [aquila@biscmi.org](mailto:aquila@biscmi.org), 3/14/21.

out by these intervention programs. As noted in the Maine Coalition to End Domestic Violence report to this Committee in December, this change in terminology also reflects a global shift toward labeling the programs based on behavior, not the person.<sup>4</sup>

Second, **section 5**<sup>5</sup> of the bill requires the **attorney for the state** to provide the incident report and victim contact information to the Domestic Violence Intervention Program, thereby improving information sharing with the goal of enhancing victim safety. This provision supports the value of clear lines of communication and correctly situates the responsibility for providing this information with the community/system partner best suited to do that, rather than putting it on offenders navigating an unfamiliar and confusing system (and potentially risking victim safety). The current CBIP Standards in Section 3.4 require that the incident report and victim contact information be provided to the CBIP educator by the program participant, to provide context and allow the educator to comply with standards requiring notification to the victim in certain circumstances.

However, as the Director of the Coordinated Community Response in Cumberland County, and a member of the most recent CBIP Standards Committee, I have heard numerous reports about the hurdles the programs and the participants have faced in obtaining this information. Discussions have taken place about the most appropriate and timely source of this information, with the conclusion being, as proposed in this bill, the attorney for the state. This change will allow the victim contact required in the CBIP Standards, the purpose of which is to provide the victims with support, timely information, and help in safety planning from the domestic violence resource centers.

Finally, **Section 7** adds to the list of circumstances outlined in 17-A MRSA §2102(1)(F) in which the attorney for the state is required to **notify the victim**, the termination of the offender's probation when the offender has met all the requirements of probation. Particularly if probation is terminated early, this change in the statute will allow the victim to safety plan based on accurate information. This provision will close a gap in the current law around victim notification.

I hope that this information will be helpful to your process, and thank you for the opportunity to share it with you. I would be happy to answer any questions that you might have.

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<sup>4</sup> MCEdV, *Initial Findings on the Effectiveness of Maine's Certified Batterer Intervention Programs*, December 2020.

<sup>5</sup> Parts of Section 5, and Section 6, make changes in sections of Titles 19-A, 17-A and 16 that enable the dissemination of the incident report, and disclosure of victim contact information to the CBIPs and Domestic Violence Resource Centers.