
Testimony of Karen Wyman

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 Deschambault, Representative Warren, and members of the Criminal Justice and Public Safety Committee:

I am Karen Wyman, the Violence Prevention and Intervention Coordinator at the Maine Coalition to End Domestic Violence (MCEDV),¹ and resident of Hallowell. Thank you for the opportunity to share testimony on behalf of MCEDV and the domestic violence resource centers across Maine in support of LD 782, “An Act to Implement the Recommendations of the Department of Corrections for Certified Batterer Intervention Programming.” This bill proposes several significant updates to enhance Maine’s intervention in domestic abuse and violence without additional impact on Maine’s budget. This includes changing how we refer to Maine’s domestic violence intervention work and improving how information is shared between members of Maine’s local coordinated community response teams.

Change “Certified Batterer Intervention Programs (CBIP)” to “Certified Domestic Violence Intervention Programs (CDVIP)”

The first thing this bill does is update the language used in Maine statutes to describe domestic violence intervention work with people who have abused their partners. Currently, Maine statutes refer to these programs as Certified Batterer Intervention Programs (CBIP). Changing that to Certified Domestic Violence Intervention Programs (CDVIP) aligns with national and international trends to focus attention on the abusive behaviors rather than the person. The people referred to these programs are full humans who deserve to be known by more than the crimes they have committed, while also facing meaningful consequences for the harm they have done. We recognize that they are also parents, spouses, siblings, workers, and members of our communities, and our intervention should focus on their abusive actions. Additionally, battering connotes a narrower range of actions, and the label of “batterer” does not accurately describe all the people convicted of domestic abuse and violence crimes in Maine who are appropriately ordered to these programs. The term,

“domestic violence” better encompasses the full range of physical, emotional, financial, and psychological tactics that make up the pattern of behaviors that we understand as domestic violence. Most importantly, this change in language echoes what we hear from survivors of domestic abuse consistently: they just want the violence and abuse to stop. Our language should reflect a similar focus on ending the abuse and violence.

Improve Information Sharing to Enhance Victim Safety and Defendant Accountability

LD 782 also proposes significantly improving information-sharing practices between the State and the certified programs. Specifically, it would require the State to share information it already has – incident reports from law enforcement and last known victim contact information – with the certified programs when a defendant is ordered to attend the program. These pieces of information are important to enhancing both victim safety and accountability of the defendant.

Incident reports from law enforcement provide CBIP staff with complete and accurate information about the incident that led to the participant being ordered to the program, which enables staff to engage the participant more effectively in class about what brought them there. Without the incident report, the programs are reliant on the defendant’s self-report, and it is difficult to identify the minimization and denial that are characteristic of people who exercise coercive control over their partners.

Accurate victim contact information allows for timely notification to the victim of a participant’s enrollment, completion, and noncompliance in the program. This is important information for survivors of domestic abuse as they plan for their ongoing safety. This information is also shared by the Certified Batterer Intervention Program with their local domestic violence resource center so that an advocate can reach out to the survivor to answer questions and inform them of victim advocacy services that may be helpful to them. This contact information also provides the potential for both the intervention program and the local domestic violence resource center to hear from survivors about the impact of program participation by their partners and former partners on their lives and safety. Most importantly, as part of the recent study and report back that MCEDV and the MDOC collaborated on and put before this Committee in January, this improvement in the ability of community partners to provide timely and effective information to an impacted survivor was a clear need expressed by survivors who participated in the survey and noted as a key component of their process to appropriately tend to their safety needs.

Currently, the individuals ordered to these programs – the people who have committed acts of domestic abuse - are required to provide both pieces of this information to the programs. When it is provided, which is not always, it is often inaccurate, incomplete, and/or untimely. Participants may be motivated to withhold information related to their crimes, to use this requirement to further harass and abuse their victims, or to provide inaccurate or incomplete information that would make partner contact more difficult. Program staff should not be put in the position of encouraging a person ordered to their classes to seek



The Maine Coalition
to End Domestic Violence

P.O. Box 5188
Augusta, ME 04332
207.430.8334

information or contact with the person who they have harmed. The court-ordered participants may have prohibitions on contact with the named victim through a Protection from Abuse order, bail or probation conditions, or other means. We cannot assume that this contact is safe contact, and we should not continue to put court-ordered participants in a position where they think, or can argue, that they were encouraged to contact their victims to comply with program expectations. Sharing information between organizational entities, rather than relying on court-ordered participants, will improve the reliability of this information and be safer for victims. It makes good sense that the entity that orders the participation in the program should share the incident report and victim contact information with the program directly. It is safer, more efficient, and more reliable.

The changes proposed in this legislation support both the desire of victims that we focus on ending the abusive actions that compromise their safety and autonomy as well as the reality that victims feel safer and more satisfied with the criminal justice response when information is shared in timely and safe ways. Thank you for your attention to this important bill. Please unanimously support LD 782, "An Act to Implement the Recommendations of the Department of Corrections for Certified Batterer Intervention Programming." I am happy to answer any questions you might have.