

Testimony Before the Maine Legislature

HP 797 / LD 1222 – An Act to Limit Sovereign Immunity for Schools and Superintendents

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My name is Tami Brown Rodriguez, and I serve as the Director of Policy for Jaco Booyens Ministries, a national anti-trafficking organization rooted in faith, committed to preventing exploitation before it occurs, and advancing public policy that centers the safety of children. I am also a survivor, a mother, and someone whose family has been personally impacted by the systemic failures of public institutions to protect children from sexual abuse and trafficking.

I am here in strong support of LD 1222, and I thank Representative Paul for her bold leadership in bringing this bill forward.

This bill is about one thing: ensuring that when a government institution fails to protect a child from abuse—especially when there is knowledge, warning, or gross negligence—those victims have the right to pursue justice in civil court. Currently, sovereign immunity acts as a shield for institutions even when they knew and did nothing. That is unconscionable.

Our ministry has worked with survivors across the country, and the data is undeniable:

- According to a study by Abel and Harlow, the average predator harms 20 to 150 children before being caught.
- The CDC estimates the average cost to a survivor of child sexual abuse is over \$210,000 across their lifetime—costs that include therapy, lost income, and long-term health impacts.
- Nearly 1 in 10 students (9.6%) experience sexual misconduct by school personnel during their school years.
- These incidents are grossly underreported, and the ripple effects often last for decades.

We are not talking about rare cases. These are systemic patterns enabled by silence, bureaucracy, and the insulation of institutions through legal immunity.

To give you a full scope of the problem: recent analysis of educator misconduct complaints showed that **29,903 complaints** would fall under the protections removed by

LD 1222. These include:

- **6036 cases of sexual misconduct** involving students or staff.
- **322 cases of sexual harassment**, capturing environments where repeated inappropriate conduct was permitted.

- **23,545 violent incidents**, including physical violence both involving and not involving students—reflecting just how pervasive this crisis is within our schools and public institutions.

Disturbingly, one unnamed individual was associated with 405 complaints across 40 different school districts. This type of mobility, often unnoticed due to a lack of public accountability, is why transparency is not just a matter of principle—it is a matter of public safety.

This lack of accountability shows us what happens when there is no transparency. Offenders are often able to move from district to district, leaving behind a trail of victims. Transparency is prevention. When complaints are tracked, publicly reported, and tied to real consequences, we stop repeat offenders.

LD 1222 does not eliminate immunity for all cases. It narrowly applies to civil actions involving the abuse of a minor. It ensures that public entities can no longer hide behind a statute when their failure to act allowed harm to a child.

This reform does three things:

1. It holds public institutions accountable, just like private entities would be.
2. It signals to survivors that their voice matters—even if the abuse happened in a public school, foster system, or detention facility.
3. It motivates prevention—because liability leads to better oversight, policies, and training.

I have personally compiled and reviewed complaint data across several states, including those who are currently shielded by sovereign immunity, and the pattern is always the same: where there is no accountability, abuse continues.

We must stop treating the harm done to children as collateral damage of flawed systems. Survivors should not be retraumatized by legal roadblocks when they seek justice. And no child should grow up believing that their pain is worth less because it happened in a government setting.

I respectfully urge you to support LD 1222. Passage of this bill is not just a policy change—it's a moral imperative. It's a line in the sand saying Maine will no longer protect the powerful at the expense of the innocent.

Thank you for your time and your courage to lead.

Respectfully,
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