



Written Testimony in Support of LD 1816

Amanda Nguyen

My name is Amanda Nguyen. On the day that I was raped, I never could have imagined that a greater injustice awaited me than the one I had already been forced to endure. As a child, I had learned to believe in the well-worn credos of our legal system—that we all had access to justice, that our civil rights were sacrosanct, and that everyone was equal under law. But in the wake of my assault, I came to understand just how hollow those words can feel to a survivor seeking justice and compassion.

In the course of pursuing my own case, I ran into roadblock after roadblock—and discovered that my path was all too familiar to millions of Americans. Rape kits destroyed before they could be brought forth as evidence. Copies of vital medical records and police reports denied. Shortfalls and irregularities in every state; symptoms of a broken promise that has left far too many survivors—already reeling from one betrayal—feeling powerless, invisible, betrayed for a second time.

I refused to be invisible—so I charted a new path. I rewrote the law, working with members of Congress, to draft a Sexual Assault Survivors’ Bill of Rights. The Bill would earn the distinction of being one of the few pieces of legislation passed unanimously by Congress in recent memory. More importantly, it codified a set of basic, comprehensive civil rights for more than 25 million rape survivors across the country.

Though I never imagined the challenges I would face after my assault, nor did I imagine the power, the progress, and the hope that would arise from my ordeal. I created a non-profit called Rise to teach other survivors how to pen their own rights into existence—and to carry our success in Congress out into the fifty states, where most rape cases are adjudicated. To date, our team has worked with local survivors to secure the passage of 41 laws, with more on the way. Because most rape cases are adjudicated in state courts it is necessary for these rights to be passed on to state by state level in the United States. I ask each of you sitting here today to help bring these civil rights to Mississippi where survivors need it still. I ask that you understand the incredible movement we have created together and that through our shared common humanity we can make a difference across not only America.

Access to justice is a necessary prerequisite to true peace. Their lives are the invisible war zones that corrode human potential and hold back the promise of a just world. Their powerlessness is our shame.,

This is a peace that we all - legislator, citizen, advocate from any corner of the globe - can help deliver. We can hold a light up to this darkest corner of human experience, and allow survivors at last to be seen, to be heard, to be believed, to be empowered.

What higher cause could we all serve than to call the world to action to put power back into the hands of rape survivors—people who have been disempowered by horrific acts of violence? The movement I represent here today is one that draws from our core national values: democracy, equality, and, most of all, hope.

Thank you - please vote for LD 1816.

Hannah Trottier-Braun

Thank you, Chairwoman Carney, Chairwoman Kuhn and Members of the Committee on Judiciary, for being here today and taking the time to read my words. My name is Hannah Trottier-Braun and I am a resident of Lewiston, Maine who is sincerely invested in seeing the success of this bill. I address you today as an ally and member of the 455,000 known survivors of sexual assault in the State of Maine.

Stories like the one I will share with you today, often make people uncomfortable, but imagine having to sit in that discomfort every day of your life, knowing that someone else has forcibly taken something from you that you will never get back. For a while after I was assaulted, I was ashamed, embarrassed, and left with no one to turn to. I constantly wondered what I could have done differently to stop what had happened to me. And the truth is, I probably couldn't have. At 23 years old, I have been sexually assaulted not once, not twice, but three times. And of those three times, I have never once felt comfortable enough in my rights as a survivor to come forward. The justice system as it stands today, presents more issues than solutions for those going through what 455,000 sexual assault survivors in the state of Maine have gone through. We have to change the system from the top, passing legislation that reverberates throughout the country and inspires others to be better, to do better. We must do right by those who have been wronged.

Over the past six months I have had the opportunity to contribute to the Rise organization, battling for the rights of sexual assault survivors all over our great country. We have shared our stories with one another, as many survivors do, and found that in today's society it is more common than not that the individual you are conversing with has a sexual assault story of their own. Additionally, it is more often than not that these survivors have never shared their story with an individual that has the ability to do something about it. Instead of accepting these commonalities we should be passing legislation that combats the broken system which is causing those to feel unable to come forward. You are given the opportunity to do just that today, and I urge you, for the greater good of our state, to grant an additional right, a human right, to the survivors known and unknown, of our beautiful state of Maine. Thank you for your time. Your consideration of these matters and solutions is very much appreciated.

Meagan Bilodeau

My name is Meagan Bilodeau and I am a survivor of sexual assault. On the night of December 31st, 2019

I was raped, physically assaulted, and drugged at an off campus house at UMass Amherst. I was given a black eye and left alone naked in the back of a car, after being thrown into black ice by my abuser. On January 1st, 2020 I had a rape kit done and I still have heard nothing back. It has been four years. I remember feeling alone, scared, and unsure of how seriously my case was going to be taken. Even until my abuser was regarded as the prime suspect, did my friends believe that he was my perpetrator. He was my friend's friend that I had met that night at the college.

I will never forget the girls that so gracefully took me in that night. My "friend" had left me alone after the incident. They gave me clothes, a bed, a warm shower, and food. Their kindness will forever have an impact on my life. That following day, I was afraid to go home, or really go anywhere. I went back to my college at the time, Plymouth State University, and decided that night I wanted to have a rape kit done. I didn't want one, I didn't want to relive my childhood sexual assault trauma, yet the girls parents that took me in convinced me I needed to have one done. The next day after going back to the scene to retrieve my things, I realized how serious the situation was after the Belchertown Police Department had left their personal card and a note on my car saying I should stop in to give my testimony.

I still didn't process in that moment what had happened to me, and instead I drove back up to my college in New Hampshire. That same night I had reached out to one of the girls I had met the night prior, and asked her to come with me to get my rape kit done. This girl that I had met less than 24 hours prior was more supportive than my friend who I had known for six years.

I remember how invasive the rape kit felt, and reliving my trauma of going through this all over again. I felt like no one was going to believe me. I felt alone. A part of me still feels that way because I never got closure.

I will never forget the gut feeling that I should drive back to Belchertown the day after my rape kit and give my statement. The police officer there listened to me, didn't ask intrusive questions, and took pictures of my bruises to add to the file. It was just her and I, and I felt that someone finally took me seriously.

The next month, I was called back to the Belchertown Police Department and asked more questions about the night of the incident. I was promised a follow up and a date, and both of those fell through. It has been 3 years and 11 months since the last time I have gotten a call, heard from an officer, or have been asked to do a follow up. It's almost as though my rape kit disappeared.

A survivor deserves the right to know exactly where their rape kit is at all times. The LD 1816 bill truly hits home for me as the hospital where I had my rape kit procedure done was 20 minutes from Fryburg, Maine. A survivor should never feel that they are left in the dark when navigating their healing process. Each year, one in five Mainers will experience sexual assault. I ask that you join me in support of passing Maine's LD 1816, as every survivor deserves a basic right to closure.

Thank you for your time,
Meagan Bilodeau

Samantha McCoy

At the age of 22, I was raped by an acquaintance, a police officer in the city in which I was attending college. The betrayal that I felt was overwhelming and is something that, to this day, is hard to describe. I was left with physical injuries, but most devastating was the mental anguish after such a violation. I stopped eating, could not get out of bed, was scared to go out of my house, and constantly mourned for the life I knew I had lost forever.

Although I was terrified to report, I knew that if I did not report then the perpetrator was free to hurt someone else. I couldn't live with myself if that happened, so I reported. I thought I would be met with care and support. However, it was nothing of the sort. I was taken to the emergency room by law enforcement for a rape examination. Unbeknownst to me, there were no trained sexual assault nurse examiners at the hospital. Imperative evidence was not properly collected as a result. I was never informed of what was going on with my case and was left in the dark, while feeling scared and vulnerable. And, after eleven months of hoping for a positive conclusion, I was told justice was not possible for me. The system failed me.

It doesn't have to be this way. When survivors are brave enough to report a sexual assault and face the grueling hours-long rape examination with the hopes that it will result in catching the perpetrator, they deserve the utmost care. That is what LD 1816 ensures with the creation of a statewide sexual assault forensic examination kit tracking system where survivors receive imperative updates and have a higher likelihood of justice. A justice that I so desperately wish I had gotten.

I am truly disheartened to this day that most survivors I meet are still not receiving the proper care and justice that is long overdue. Ensuring a victim's basic human rights after such a personal and violent attack, both physically and mentally, must finally be a priority. This perpetuation of ensuring the perpetrator has more basic rights than the victim is no longer acceptable. My lawyer at the time told me, "there is no justice in the justice system." I will never forget those words and I cannot accept that as the standard any longer. We as a society cannot accept that as the standard any longer. Victims deserve so much more than the ways in which they have been treated and we owe it to the next generation to provide a society and system that protects the vulnerable and criminalizes those who abuse their power or status to take advantage of others.

Healing for me comes from stopping the traumatic cycle of victims not being protected or believed and changing our broken justice system into something we can all be proud of. We cannot settle for the "status quo" while those who are left without a voice continue to suffer in silence. We at least owe it to these courageous men, women, and children the basic dignity every human deserves.

Cadence

As a survivor of sexual assault, I know all too well the powerlessness and pain that survivors experience in a system that fails to provide the support they deserve. As an advocate, I

have seen first-hand how survivors are left to fend for themselves as they navigate a complex landscape of bureaucracy and injustice. Too often survivors are held back by the system, the complexity of the process,

and financial costs. Rather than the justice they deserve, they are met with destroyed rape kits, missing medical records, and denied police reports as they are forced to continually relive their experiences.

From the ages of fifteen to eighteen, I was serially assaulted, and once I entered university, I was raped. Some moments stay with you from these experiences and when looking back, you are reminded of what it is like to feel completely powerless, small, and alone. I lived my life within these moments when I had to quit everything I worked on at the military base, was followed home, and moved back with my parents after being raped. They are the times that shape your understanding of the world and when you need support the most. More often than not though, the failures within the system perpetuate continual pain instead of being a source of justice and hope.

It doesn't have to be this way. I have seen the power, resilience, and hope of survivors and allies alike who are determined to advocate for change and challenge the status quo. They are the changemakers who inspire survivors like myself to believe in something better. It is that same challenge of injustice that is maintained within LD 1816. The implementation of a sexual assault evidence collection kit tracking system would be a critical step in ensuring survivors can receive the justice they deserve. It would be a beacon of hope for those who have endured unimaginable hardship and a reminder that their voices, stories, and experiences are being heard.

LD 1816 is an opportunity to empower the 450,000 survivors of sexual assault in Maine. So I ask that you stand with survivors and the movement for hope and justice as you bring about lasting change. Thank you – from my fifteen-year-old self who needed someone to stand up for her and my twenty-one-year-old self who now has hope that we can pave a better path for survivors.

Tyrell Walker

Most of us have been impacted by sexual assault, whether we know it or not. When someone we care about is hurt and traumatized, it affects everyone. The deepest pain is obviously felt by the victim of sexual assault, but the aftermath reverberates outwards much farther than the event itself. Sexual assault is not just a women's issue; it is a human issue.

When a citizen is victim of a crime, the criminal justice system is supposed to help them and protect them. I have not witnessed this when it comes to sexual assault survivors. Instead, I have seen a criminal justice system that traumatizes survivors of sexual assault as much, if not more, than the assault itself. Survivors are penalized for their trauma, told conflicting information, forced to relive their attack every time they have to fight for their evidence to be kept, or are left alone to navigate a complicated system with no guidance whatsoever. This is not the country I want America to be. I do not want us to be a country that leaves survivors of assault, victims of a crime, lost, alone, unsupported by the justice system. America can, and must, do better. We need a system that provides basic support and guidance to victims of crimes, and ensure that the criminal justice system is prepared and empowered to execute the law fairly.

A civilization is judged not by the strength of those most powerful, but by how we care for and support those in need. Survivors need these rights. These rights are vital to creating a justice system for all, and will create provisions necessary for a criminal justice system that knows how to properly treat sexual assault survivors.

Julia Fischer

I have not been sexually assaulted. But it does not mean I may not. It does not mean that my best friends or my sister may not. It does not mean that millions of women, along with men, may not. Though there is the hope that we may someday live in a world without a rape culture, it is not yet a reality. However, we can do something to help those who fall victim to the rape culture, and to validate that sexual assault is an abhorrent crime. Give them the ability to preserve their rape kits. Give them the ability to have a medical examination without having to worry about the cost. Give them the ability to have statutory rights. And through these rights, let it be known that this crime is unacceptable. Let it be known that now begins the fight against sexual assault.