

LEGISLATIVE REVIEW

132nd Maine Legislature
First Session
2025



TABLE OF CONTENTS

INTRODUCTION	3
PRIORITY FUNDING EFFORTS	5
Achieved Continuing State Funds to Address a Critical Shortfall in Federal Funding to Maine’s VOCA Funded Victim Services Providers.....	5
The Fight for Increased Funding for Domestic Violence Services Continues	6
Supporting the Costs of Emergency Shelter in Maine	8
Maine’s Certified Domestic Violence Intervention Programming Must Be Funded	9
NEW LAWS	10
Updates to Maine’s Protection from Abuse Statute	10
EXPANDING ACCESS TO PROTECTION FROM ABUSE ORDERS.....	10
Public Law 2025, Chapter 158.....	10
IMPROVING MAINE’S PROTECTION FROM ABUSE PROCESS	14
OTHER AMENDMENTS TO MAINE’S PROTECTION FROM ABUSE STATUTE	15
Updates to Maine’s Response to Sexual Assault	17
Criminal Legal System Updates.....	18
SENTENCING, INCARCERATION, AND EARLY RELEASE POLICIES.....	19
OTHER CRIMINAL LAW UPDATES	21
Child Welfare System Response.....	22
Other New Laws that Will Affect Maine’s Response to Domestic Abuse and Violence	23
BILLS PASSED BY THE LEGISLATURE & HELD BY GOVERNOR MILLS	27
LEGISLATIVE PROPOSALS CARRIED OVER TO NEXT SESSION DUE TO NEEDED APPROPRIATIONS.....	29
Emergency Parental Rights and Responsibilities Orders in Maine’s Family Courts	29
Victim Notification for Maine’s County Jails.....	30
Protecting Crime Victims from Inappropriate Practices of Certain Private Investigators....	31
Improving Child Protection Court Processes.....	32

ADDITIONAL POLICY ISSUES DISCUSSED IN THE 1ST SESSION	33
Improving Maine’s Response to Strangulation.....	33
Eliminating Violations of Conditions of Release (VCR)	34
Depositions of Crime Victims.....	35
UPCOMING IN THE 2 ND REGULAR SESSION	35
SUMMARY.....	37

INTRODUCTION

The first session¹ of the 132nd Maine Legislature adjourned on June 25, 2025. Over the course of the session, Maine's legislators considered more than 1,900 bills. Approximately 500 new laws were enacted. Several hundred other proposed bills were held by the Legislature, carried over to be worked on and considered as part of the 2nd session, which will begin in January 2026.



The Health and Human Services Committee voted unanimously in favor of LD 875 after hearing powerful testimony from 43 survivors – including those who had lost loved ones to domestic violence homicide – at the public hearing on March 19th.

The historic under-resourcing of domestic violence services and our continuing fight to meet the needs of the survivors and families we serve was our primary focus in this challenging first session. Maine's domestic violence service providers across the state have struggled for several years to maintain even *flat funding*. In the face of rising costs, flat funding has resulted in a loss of more than 10% of Maine's highly trained domestic violence advocacy workforce statewide over the last five years – and contributed to a staggering turnover rate, with more than 170 advocates in a field of 220 staff having left in that same time period. At the same time, federal funding sources are more precarious than they've ever been. Maine has relied on those federal dollars to fund up to 85% of the DV response services in several parts of the state. Accordingly, MCEDV and our membership focused our efforts this session on maintaining and attempting to increase state funding to prevent further cuts to services. In addition to our focus on funding efforts, our network provided testimony on over 30 other policy bills and worked with legislators and community partners on several more to help Maine's lawmakers understand the likely impact of

¹ In order for the continuing services biennial budget, which passed with only a majority vote, to take effect as of the start of the new state fiscal year on July 1, 2025, the first regular session of the 132nd Legislature adjourned in March 2025 and was reconvened for a special session to finish out the remainder of the first session's work. The first special session adjourned on June 25, 2025. Unless otherwise noted, all newly enacted laws will become effective 90 days after the June 25th adjournment, on Wednesday, September 24, 2025.

proposed legislation on the State's response to domestic abuse and violence, bringing our deep understanding of survivors' experiences to these critical conversations. In every legislative session, MCEDV's engagement at the Maine State House is both proactive and reactive. There were several policy initiatives that MCEDV took a leadership role on moving forward. Some of these efforts were successfully enacted. Unfortunately, several others that we have identified as key to advancing the state's ability to effectively respond to victims and survivors² of domestic abuse and violence have not yet made it over the finish line. We look forward to continuing to talk with legislators about the importance of these policy initiatives over the next year. As with any legislative session, we have gratitude for our innumerable community partners, who provided leadership and coordination to advance positive public policy in our state – public policy that will support the safety and stability needs of all Mainers, survivors included. Throughout the session, MCEDV collaborated with many of these partners to share our perspective on how their efforts would impact those we serve.

What follows is a summary of:

1. The new laws and resolves MCEDV sees as likely to have the most impact on survivors, their children, and those who have chosen to use abuse and violence;
2. Policy efforts we have identified as needed changes in our state law that were unsuccessful or are delayed, but that we are committed to continuing to work on with policymakers and with our community partners;
3. Proposed legislation that MCEDV identified as insufficiently developed or representing policy choices that would have had a harmful impact on Maine's ability to effectively respond to domestic abuse and violence; and
4. Policy efforts that we anticipate will come back for additional conversation and consideration in the second session.

MCEDV would like to thank Maine's Legislators as well as Governor Janet Mills and her administration for the continuing care and attention given to the needs of Maine's people throughout this busy and challenging session. To find the text of all new laws and resolves, visit the Maine Legislature's [website](#).³

² Some who have experienced domestic abuse and violence consider themselves a "victim," others prefer the term "survivor," and still others find that neither term feels right to them. MCEDV uses victim and survivor interchangeably through this document to refer to an individual whose partner has chosen to use tactics of abuse and violence against them.

³ Unless otherwise noted, new laws referenced herein will take effect on Wednesday, September 24, 2025.

PRIORITY FUNDING EFFORTS

Achieved Continuing State Funds to Address a Critical Shortfall in Federal Funding to Maine's VOCA Funded Victim Services Providers

[Public Law 2025, Chapter 388](#)

LD 210: Part 2 Biennial Budget

Sponsored by: Representative Drew Gattine

Maine's victim services providers rely on federal funding through the Victims of Crime Act (VOCA) to support core services for crime victims across our state. VOCA funding is exclusively supported by the federal Crime Victims Fund (CVF), which is made up entirely of fines, fees, and penalties paid by federal criminal defendants in federal criminal cases. Years of decreased deposits into the CVF, resulting from changed federal prosecution strategies, have left the CVF in a crisis state, with insufficient funds available to maintain critical funding for victim services providers.

Since 2022, the annual VOCA award to Maine has decreased by 60%, representing a loss of \$6,000,000 in the overall award. If Maine's network of victim services providers were forced to realize that cut, it would decimate not only our regional Domestic Violence Resource Centers, but also sexual assault services, civil legal representation for crime victims, and victim services in Maine's District Attorneys' Offices, the Maine Office of the Attorney General, and the Maine Department of Corrections. With the support of Governor Janet Mills, the 131st Legislature allocated a one-time appropriation of \$6M for fiscal year 2024-2025.

Victim services providers have been consistent in our advocacy to Maine's congressional delegation about the need to fix the federal funding deficit, and the impact of failing to do so. Unfortunately, most additional fixes being entertained by Congress, even if passed soon, would not be sufficient to ward off the significant funding cuts expected to continue for FY26 and FY27. Maine's victim services providers needed the 132nd Legislature to appropriate predictable, ongoing funding to sustain foundational services for crime victims across Maine.

In this first session's Part 2 budget, passed by the Legislature on June 18th and signed into law by Governor Mills on June 20th, appropriators included \$3M of ongoing funding to address the need to fill the VOCA shortfall, as well as an additional time-limited \$3M in each

of fiscal years 2025-2026 and 2026-2027. This means that the current and anticipated gap in federal funding from the VOCA crisis will be addressed with state general funds, at least for the current and next state fiscal years. In addition to countless legislative supporters in both the House and the Senate, and the support of the administration, MCEDV is deeply grateful to have had the strong continued partnership of the Maine Coalition Against Sexual Assault, Pine Tree Legal Assistance, Legal Services for Maine Elders, the Maine Office of the Attorney General, and the Maine Prosecutors Association as we navigated getting this critical \$6M in the difficult budgeting climate.

MCEDV also extends deep gratitude to Senator Anne Carney, who has successfully championed the necessary legislative efforts to ensure state funds to backfill the VOCA shortfall for the last two legislative sessions. Her legislative advocacy was essential, even though the vehicles that ultimately carried the needed funding were the budget bills in each session.

The Fight for Increased Funding for Domestic Violence Services Continues

LD 875: An Act to Fund Essential Services for Victims of Domestic Violence

Sponsored by: Representative Michele Meyer

To address cuts that have been made across the state in recent years to domestic violence services, as costs have increased and funding has remained flat, Maine's network of domestic violence resource centers sought an increase in state funding of \$4.5M annually.

Domestic Violence Resource Centers are struggling to keep up with increasing demand for crisis services amidst rising costs, high staff turnover, and a sharp decline in volunteerism, much of which was precipitated by the pandemic.

Here's what it looks like:



MCEDV executive director Francine Garland Stark and Representative Michele Meyer, sponsor of LD 875, at Domestic Violence Day at the Maine State House in April.

	2019	2024
# People Served by DVRCs, Total: <i>DVRCs are serving more people, due mainly to an increase in demand from concerned others seeking support to do their part.</i>	13,879	14,810
# People Served Directly Experiencing Abuse: <i>The number of survivors being served is steady, representing a rebound in services from early COVID when the number of survivors served dipped.</i>	12,117	12,385
# People Served by DVRC Crisis Helplines: <i>The number of people calling DVRC helplines increased 22% since 2019. In 2023, it spiked to 38%. The 24-hour helpline is the core service offered by DVRCs and serves as the gateway to additional support.</i>	7,042	8,572
# Crisis Helpline Calls: <i>The number of calls to DVRC helplines increased 17% during this period. Helpline calls are considered crisis and require immediate response from advocates.</i>	16,485	19,279
# Trained Staff Advocates Funded by DHHS Contract: <i>From 2019 to 2025, the number of full-time staff funded by the DHHS contract has reduced by 27%.</i>	138	101
# Trained Volunteer Advocates: <i>The number of volunteers answering the helpline decreased 54%, increasing staff workload, decreasing staff capacity to offer other services, and contributing to staff turnover across the state.</i>	178	81
Staff Turnover Rate, 2019-2024: <i>A total of 221 staff positions turned over statewide, an average of 28 positions per DVRC. Most common reasons cited: the need for higher pay and the impact of the work, especially the demand for coverage of the helpline on nights and weekends.</i>		
Heating Costs: <i>DVRC heating costs for resource centers and shelter buildings have risen 28% statewide.</i>		
Cost of Electricity: <i>DVRC electricity costs have risen 59% statewide.</i>		

Domestic violence remains a driver of violent crime and homicide in Maine. It is a significant public health issue, and it requires a specialized response. However, that response has reached a breaking point, and Maine needs to take action. MCEDV and Maine's regional Domestic Violence Resource Centers look forward to continuing to work with state

legislators, as well as with Governor Mills and her administration to see a substantive and sustained increase in state investment for these critical and transformative services.

Supporting the Costs of Emergency Shelter in Maine

Maine's network of regional Domestic Violence Resource Centers operates 13 of the state's emergency sheltering programs. For some counties, DV shelters are the only emergency shelter. Many of Maine's DV shelters are the only shelters in their region that allow children to accompany their parent. In the last year, Maine's DV shelters provided safe refuge to 324 adults and 218 children. And yet, our programs are able to shelter less than 20% of eligible survivors who reach out for that resource. Trained advocates work with those survivors to maintain or obtain safe housing; for some, the lack of sufficient capacity at Maine's DV shelters, combined with the dearth of long-term housing subsidies, leaves them making impossible choices.

[Public Law 2025, Chapter 460](#)

LD 698: An Act to Sustain Emergency Homeless Shelters in Maine

Sponsored by Senator Talbot Ross

To address the ever-increasing gap between costs and available funding, Maine's DVRCs joined other emergency shelter providers in seeking to increase Maine Housing's Shelter Operating Subsidy by \$5M per year, from \$2.5M per year to \$7.5M. MCEDV's Housing Services Coordinator, Hanna Gregory, led the participation of MCEDV and Maine's DV shelter network and [helped](#) policymakers and interested parties understand the importance of this funding to DV shelter operations.

Ultimately, the Maine Legislature allocated \$4.47M in additional one-time funding for the Shelter Operating Subsidy for Fiscal Year 2025-2026. MCEDV looks forward to continuing to work with our partners in emergency sheltering to obtain sustainable ongoing funding increases.



MCEDV Housing Services Coordinator Hanna Gregory advocated for the passage of LD 698 at the State House in May.

Maine's Certified Domestic Violence Intervention Programming Must Be Funded

LD 666: An Act to Prevent Domestic Violence by Providing Adequate Funding Support for Court-ordered Certified Domestic Violence Intervention Programs

Sponsored by Representative Drew Gattine

Maine's network of Certified Domestic Violence Intervention Programs (CDVIPs) is an essential part of our coordinated community response to domestic violence. The criminal code recognizes these proven, evidence-based programs as the most effective community-based intervention to domestic violence. State law requires Maine courts to order these programs in all cases where a person is sentenced to probation for a domestic violence crime.

Learn more about the history of Maine's Certified Domestic Violence Intervention Programs and our most recent recommendations about this programming in [MCEDV's 5 year lookback report](#), presented to the Joint Standing Committee on Criminal Justice and Public Safety in February 2025.

The Maine Department of Corrections oversees certification of these programs. Since 2019, MCEDV has worked closely with the MDOC to provide statewide coordination, technical assistance and training, and quality assurance monitoring. The Biennial Budget Proposal maintains \$287,500 in the Department of Corrections annually to go towards supporting Maine's CDVIPs, but this has proven to be not nearly enough to sustain these programs – it is not even enough to reimburse programs for all the eligible indigent participants ordered by the courts to attend each year. Without adequate investment, these critical community programs will continue to close, one by one.

MCEDV worked with all of Maine's CDVIP and partnering Domestic Violence Resource Centers to determine a level of funding that would support ongoing and sustainable operation of these programs statewide. That total annual cost is \$2,500,000. As a matter of policy, the 9



CDVIP educators from around the state came together for MCEDV's Advanced Facilitation series this spring. The training series is made possible by the State of Maine's investment in Certified Domestic Violence Intervention Programming, which allows MCEDV to partner with the Maine Department of Corrections and offer annual training for CDVIP educators.

Legislature gave bi-partisan support for a significant increase in funding. However, these funds were not appropriated in the 1st session. So, LD 666 remains with the Joint Standing Committee on Appropriations and Financial Affairs, and we will continue to work with legislators to understand the importance of this funding for these programs through the next session.

Read more about how Maine's Certified Domestic Violence Intervention Programs are a fiscally responsible and necessary investment in the [testimony](#) of MCEDV's Executive Director, Francine Garland Stark, during budget hearings this past February.

NEW LAWS

Updates to Maine's Protection from Abuse Statute

Maine first enacted the protection from abuse statute more than forty years ago. Several parts of it have served as a model for other state's statutes in the subsequent decades. Yet, to respond to the evolving needs of victims of domestic abuse and violence, modifications have been made to this important statute and process in subsequent legislatures. MCEDV and our membership are recognized as authoritative experts in this area of Maine law, both by community partners and policy makers, and we are grateful that our priority asks for modifications to Maine's protection from abuse statute this year were unanimously supported by Maine legislators.

EXPANDING ACCESS TO PROTECTION FROM ABUSE ORDERS

[Public Law 2025, Chapter 158](#)

LD 950: An Act to Increase Access to Protection from Abuse Orders by Allowing Children to File Protection from Abuse Orders on Their Own Behalf

Sponsored by Senator Donna Bailey

Starting in September 2025, Maine will no longer have age restrictions around who can file for a protection from abuse order. This change advances Maine's ability to effectively respond to teen dating abuse and violence.

Nationally, 1 in 3 adolescents is a victim of physical, sexual, emotional or verbal abuse from a

dating partner – a figure that far exceeds rates of other types of youth violence.⁴ A representative survey of 12 to 18 year olds found that more than 60% of those reporting current or past-year dating have experienced some form of intimate partner violence.⁵ Experiencing violence from a relationship partner in adolescence can have serious ramifications. Victims are at higher risk for substance abuse, eating disorders, risky sexual behavior, and future domestic violence.

Many of the legal protections available in our protection from abuse statute are as important for addressing safety issues presented by teen dating violence and sexual assault as they are to adults. Yet, since the enactment of the PFA statute, Maine expressly prohibited victims under the age of 18 from filing for civil protection orders on their own behalf. Only 10 other states have the same kind of explicit prohibition on youth filings. More than 14 states expressly allow minors to file for civil orders on their own behalf, and a significant number of other states have more ambiguous language and interpret their statutes to permit filings by minors. Maine’s restrictive approach prevented some teens from getting the timely protection that they need, which is contrary to the purposes of the protection from abuse process. Enactment of LD 950 changed that, bringing Maine in alignment with most of the rest of the country with respect to access.

MCEDV appreciates the partnership of our colleagues at the Maine Coalition Against Sexual Assault, and the support of Pine Tree Legal Assistance’s Family Law and Victim Rights Unit, in helping achieve the unanimous support of Maine legislators in making this change.

[Public Law 2025, Chapter 157](#)

LD 809: An Act to Allow a Motion to Extend a Protection from Abuse Order After Expiration of the Original Order

Sponsored by Representative Amy Kuhn

Under current Maine law, when an existing final protection from abuse (PFA) order expires, it is unclear whether that order can be revived unless or until a victim can prove that new abuse or other qualifying misconduct has happened. But there are often very good reasons why a victim may not take action to extend the final order before the expiration date. The unanimous passage of LD 809 will permit the courts to reinstate and extend final orders of

⁴ Love is Respect, “Dating Abuse Statistics,” available at https://www.loveisrespect.org/pdf/Dating_Abuse_Statistics.pdf.

⁵ Taylor BG, Mumford EA. A National Descriptive Portrait of Adolescent Relationship Abuse: Results From the National Survey on Teen Relationships and Intimate Violence. *J Interpers Violence*. 2016 Mar;31(6):963-88. 11

protection that have expired if the court determines: (1) there is a good reason that a motion to extend the order was filed after the expiration; and (2) the motion to revive and extend an expired final order was made within a reasonable amount of time after the order's expiration based on the individual circumstances.

This will address two common types of situations. The first is when a victim with a final protection order who still feels the need for ongoing court ordered protection does file a motion to extend their order before the expiration date, but the defendant cannot be successfully served with the necessary court documents to be able to go forward. In these situations, victims often allow their motion to extend to be dismissed, and the underlying order to expire, at the court's suggestion after several failed attempts to serve the defendant. When the defendant then shows back up in the victim's community, the victim will now be able to ask the court to revive their motion to extend and extend the final PFA for a longer period. The second common situation is when a person who has committed serious abuse or violence is incarcerated for several years. In such circumstances, the victim's final PFA often expires while the person is in the custody of the Department of Corrections, and so the victim has much less fear of an immediate threat from the defendant. When the victim is then notified by the Department of Corrections about the offender's anticipated release date, victims attempt to get a new PFA only to be told that they don't qualify, regardless of the egregiousness of the abuse and violence they have experienced or the legitimacy of their safety concerns, because the order that was based on that prior abuse and violence has expired.

A subcommittee of the Maine Commission on Domestic and Sexual Abuse, led by MCEDV, brought forward this recommendation for statute change. MCEDV appreciates the partnership of our colleagues at the Maine Coalition Against Sexual Assault, Pine Tree Legal Assistance, and Representative Kuhn, as well as the collaboration of the Family Law Advisory Commission and the Maine Judicial Branch who worked with us to get this change enacted. More on why this change is important can be found in MCEDV's [testimony](#) to the Joint Standing Committee on Judiciary.

[Public Law 2025, Chapter 379](#)

LD 670: An Act to Address Coercive Control in Domestic Abuse Cases

Sponsored by Representative Holly Eaton

This new law modifies the definition of "Abuse" in Maine's Protection from Abuse Law to explicitly add the term "coercion."

Maine's protection from abuse statute has allowed for orders to issue in response to abusive behaviors often categorized as "coercive control" for many years. Maine's statutory definition of stalking ([17-A M.R.S. § 210-A](#)), which is found in Maine's criminal code and is fully incorporated into the civil protection from abuse statute, has served as a model for other states in how to recognize patterns of abusive behavior that cause "serious inconvenience" or "emotion distress" as the stalking crimes they are. Additionally, language in the protection order statute's definition of "abuse" which names as abuse those behaviors that compel a person by force, threat of force or intimidation to either do something they have a right not to do, or to not do something they have a right to do, has served as the foundational language for other states in their own efforts to expand civil protection order eligibility beyond physical violence and threatened violence and to codify "coercive control." This statutory language, even prior to enactment of LD 670, was broad enough to capture conduct that restricted access to communication, isolated a person from their friends or family, created financial dependency, and generally created an environment where the victim didn't do something they wanted to do or felt they needed to do something they didn't want to do because their partner had acted in a way that made them reasonably afraid that their partner would cause them harm.

Despite Maine's strong and broad statutory eligibility language for protection from abuse orders, as MCEDV shared with legislators in our [testimony](#) on the proposed legislation, Maine's domestic violence advocates and policymakers heard from some survivors that they didn't easily recognize some of the abuse perpetrated against them in the statutory language. These survivors told us it would be helpful to more explicitly incorporate language about coercion, and we were able to do so with a modest but significant addition of one word to the statute.

With the enactment of LD 670, Paragraph C of Maine's "abuse" definition now reads:

"Compelling a person by force, threat of force, coercion or intimidation: (1) to engage in conduct from which the person has a right or privilege to abstain; or (2) to abstain from conduct in which the person has a right to engage."

Thank you to Representative Holly Eaton for her leadership and collaboration on this important issue and to the Joint Standing Committee on Judiciary for their work to amend the original bill in a way that so thoughtfully addressed the identified need while preserving the existing strengths of the statute.

[Public Law 2025, Chapter 400](#)

LD 1944: An Act to Protect Individuals from the Threatened Unauthorized Dissemination of Certain Private Images, Including Artificially Generated Private Images

Sponsored by Representative Amy Kuhn

This new law responds to the increasing problem of nonconsensual AI-generated sexual images, also known as “deep fakes.” Websites and apps enable users to use AI to create nonconsensual explicit images right on their phone with just the press of a button. When these images are then distributed, victims often suffer the same severe emotional distress and harm to reputation as they would if the images were real.

The crime of unauthorized dissemination of certain private images is amended such that a person commits this crime if the person, without consent and with the intent to harass, torment the depicted person or another person, intentionally or knowingly disseminates, displays or publishes an image that has been created or modified so that it appears to show the depicted person in a state of nudity or engaged in a sexual act or sexual contact. The new law also adds the crime of unauthorized dissemination of certain private images to the definition of harassment and to the definition of abuse in the protection from abuse statute.

These updates were shepherded by our colleagues at the Maine Coalition Against Sexual Assault and the Maine Prosecutors Association. Read more about the importance of these updates around AI generated sexual images in MECASA’s [testimony](#) to the Joint Standing Committee on Judiciary.

IMPROVING MAINE’S PROTECTION FROM ABUSE PROCESS

[Public Law 2025, Chapter 159](#)

LD 1129: An Act to Clarify Standards for Defendants’ Post-Judgment Motions for Relief from Protection from Abuse Orders

Sponsored by Representative Amy Kuhn

This new law clarifies in Maine’s protection from abuse statute that defendants do not have access to motions to terminate final protection orders. It also clarifies a judge’s ability to dismiss any motion to terminate a final protection order that is filed by a defendant without setting that motion for a hearing.

Several years ago, the Maine Judicial Branch changed the form that plaintiffs in protection from abuse cases had historically used to ask the courts for a modification or a termination of their existing PFA order. Advocates and attorneys observed that the changes to this form

led to an increase in defendants filing motions to terminate final PFAs – oftentimes a PFA that the defendant had consented to only weeks or months earlier. This trend had a profound impact on the confidence that survivors had in the practical finality of their final orders. Some survivors experienced defendants filing multiple motions, resulting in these survivors having to return to court multiple times to defend the continued existence of their order. This is contrary to the stated purposes of Maine’s PFA statute, one of which is to provide a way for victims of domestic abuse and violence to have expeditious and effective protection against further abuse so that their lives are as secure and uninterrupted as possible.

The need for clarity was also observed by the Maine Judicial Branch’s Family Rules Advisory Commission and referred to the Maine Commission on Domestic and Sexual Abuse for review and recommendations. A subcommittee of the Maine Commission on Domestic and Sexual Abuse, led by MCEDV, recommended that the statute be amended to limit the ability of defendants to ask the court to terminate final orders. The Maine Legislature decided to enact stronger language that underscores the legislative intent that motions to terminate final PFAs should not be used by defendants.

Thank you to Representative Amy Kuhn for her leadership and collaboration on this important change.

OTHER AMENDMENTS TO MAINE’S PROTECTION FROM ABUSE STATUTE

[Public Law 2025, Chapter 22](#) (effective January 1, 2026)

LD 586: An Act to Provide a Court Authority to Issue Proximity Restrictions in Protection from Abuse Orders

Sponsored by Senator Joe Rafferty

Final civil protection from abuse orders routinely require defendants to stay away from the home, school, business, or place of employment of a victim. This new law will make it clear that judges have the authority to also order defendants to stay away from other specific locations that might be appropriate depending on the facts of the case. For example, if a victim has been a long-standing member of a local gym or routinely gets coffee every morning from the same place, a judge may order defendants to stay away from that location. This new law will also make it clear that the court has the authority to order a defendant to stay a certain distance away from a plaintiff.

This same proposal was widely supported by the 131st Legislature. However, it failed to get

the nominal funding needed to support the costs to the Maine Judicial Branch for programming that would be needed within their database that shares information about protection orders with law enforcement in real time. In 2024, after the wrap of the 131st Legislature, MCEDV worked with leadership within the Maine Judicial Branch's Administrative Office of the Courts to encourage and support their application for a small portion of federal Services, Training, Officers, and Prosecutors (STOP) funds that come to Maine each year through the Department of Justice Office on Violence Against Women. Their successful application for the funds needed to cover the implementation costs of this legislative proposal allowed the bill to be refiled in the 132nd Legislature and be enacted without the need for a state general fund appropriation. MCEDV thanks the Maine Judicial Branch for working with us on this creative solution.

The Maine Judicial Branch will use the time between now and January 1, 2026 to update their database and forms to clearly note the ability for victims to ask for these types of protection in final orders and to clearly note the ability of the courts to order them as part of any final order issued.

Thank you to Senator Rafferty for his commitment to seeing this accomplished across two legislatures, and to the Joint Standing Committee on Judiciary for their continued recognition of the benefits of having this relief clearly articulated in the statute.

Read MCEDV's testimony on this improvement to the Protection from Abuse Statute [here](#).

[Public Law 2025, Chapter 90](#)

LD 665: An Act Regarding the Use of Military Protective Orders in Protection from Abuse and Protection from Harassment Proceedings

Sponsored by Representative Morgan Reilly

The U.S. Department of Defense has developed a small number of policy priorities for advancing each state's ability to respond to Military Interpersonal Violence. The first policy priority involves admission of Military Protection Orders into evidence in civil protection from abuse proceedings. LD 665 was introduced for this purpose.

This new law will create a definition of Military Protection Order within Maine's civil protection from abuse statute and protection from harassment statute and will expressly permit the court to consider the existence of a Military Protection order when deciding whether good cause exists to issue a temporary, ex parte order.

MCEDV was grateful for this opportunity to work with the New England Region's Liaison from the DOD's State Liaison Office and learn more about their work. Thanks to Representative Morgan Reilly for his leadership in moving forward this DOD priority, and to our partners at the Maine Judicial Branch and Pine Tree Legal Assistance for their work in crafting a response to this DOD policy goal that works well within Maine's existing laws and processes.

Find out more about the DOD's Military Interpersonal Violence policy priorities [here](#).

Updates to Maine's Response to Sexual Assault

[Public Law 2025, Chapter 109](#)

LD 1651: An Act to Remove the Term "Alleged" When Referring to Victims of Sexual Assault in the Provisions of the Maine Revised Statutes Pertaining to Forensic Examinations

Sponsored by Representative Dylan Pugh

This new law, put forward by the Maine Prosecutors Association, does exactly what the title suggests – it removes the word “alleged” as a modifier to the word “victim” through the Maine statutes that deal with forensic sexual assault examinations. As noted by the Maine Prosecutors Association in their [testimony](#) to the Joint Standing Committee on Judiciary, “Language is especially powerful when dealing with the most vulnerable. This bill does not change any process or affect anyone's rights; it simply takes away a word that society uses the most [when referring to] victims of sexual assault.” Acknowledging the inherent bias in that reality and removing from statute a term that is not ever used by the medical providers conducting these exams and is not used in Maine's victim rights statutes, are essential steps in changing it.

Thanks to Representative Pugh for sponsoring and helping to shepherd this small but meaningful change.

[Public Law 2025, Chapter 138](#)

LD 412: An Act to Prohibit the Sale of Self-Administered Sexual Assault Forensic Evidence Collection Kits

Sponsored by Representative Ellie Sato

This new law prohibits the sale of self-administered sexual assault forensic evidence collection kits in Maine and makes the sale of these kits a presumptive violation of the Maine Unfair Trade Practices Act.

These kits are advertised as a way for a person, other than a licensed hospital or licensed health care professional, to collect physical evidence of a sexual assault. They are marketed to sexual assault survivors to allow them to administer the test on themselves, with a particular focus on sororities and other college campus groups. As noted by Representative Sato in her [introduction](#) of the bill to her colleagues, this bill is a consumer protection measure. “When a survivor goes to a medical facility to receive care after a sexual assault, evidence collection is only one aspect of the services offered. They can also be connected to vitally important advocacy services, legal assistance, and [other] medical care, including time-sensitive prophylactic measures against sexually transmitted infections and pregnancy.” The sale of these private kits also introduces a cost to survivors when a better, more comprehensive response to their sexual assault is free under Maine’s Victim Compensation Program. Our colleagues at the Maine Coalition Against Sexual Assault and the Maine Prosecutors Association also both raised concerns about the admissibility of evidence collected through these kits and the potential for it to actually harm the likelihood of a successful prosecution for sexual assault crimes.

Thank you to Representative Sato for leading on this issue and preventing the sale and use of these kits from expansion here in Maine.

[Public Law 2025, Chapter 344](#)

LD 1695: An Act to Require Law Enforcement Agencies to Adopt Written Policies Regarding Sex Trafficking and Commercial Sexual Exploitation

Sponsored by Representative Amy Arata

This new law requires the Maine Criminal Justice Academy to establish a minimum policy standard for response to a victim of human trafficking or commercial sexual exploitation.

Criminal Legal System Updates

The choices Maine makes about laws, policies and processes that govern the criminal legal system response are very relevant to crime victims. Many victims will never engage with law enforcement or our criminal courts. For those who do, the possible criminal consequences for committing domestic abuse and violence and how victims are allowed to and/or are compelled to participate in that system can have a significant impact on victims’ sense of whether justice was achieved, and ultimately their healing and recovery journey as a result.

SENTENCING, INCARCERATION, AND EARLY RELEASE POLICIES

[Public Law 2025, Chapter 341](#)

LD 931: An Act to Amend the Law Allowing Individuals Subject to Pretrial or Presentence Incarceration to Be Credited Time for Participation in Work Projects Within a Jail

Sponsored by Representative Dani O'Halloran

Maine law permits residents serving a sentence at Maine's county jails to earn good time credits for hours they participate in voluntary work projects at the rate of 1 day off their sentence for every 16 hours they work. This new law extends that ability to earn good time off the eventual sentence for those being detained in county jail facilities pre-trial or pre-sentencing. As before, those being held pre-trial or pre-sentencing may only engage in voluntary work projects that are within the jail or on the property of the jail.

[Public Law 2025, Chapter 360](#)

LD 1684: An Act to Implement Additional Criteria and Processes for the Supervised Community Confinement Program

Sponsored by Representative Vicki Doudera

This new law codifies several victim-centered updates to Maine's Supervised Community Confinement Program (SCCP). These updates include requiring the Maine Department of Correction to consider the input provided by the MDOC's Office of Victim Services to determine a resident's eligibility for the program, and that it must ensure any program plan is responsive to reasonable concerns that have been raised by the crime victim and the community. In the last several years, MDOC has incorporated these into their process administratively, and this new law pulls those practices into the statute. In domestic abuse and violence cases, the new law additionally requires consideration of any validated, evidence-based domestic violence risk assessment that has been completed.

This new law also attempts to ensure that a resident is not released into the community in a way that impairs the ability of a crime victim to continue receiving the restitution they are entitled to. For those residents who have a restitution order in place and who are released from a MDOC facility into the SCCP, this new law will require that person to continue paying the level of victim restitution that they would have paid if that person had stayed incarcerated, subject to the approval of the Commissioner.

This enacted law represents an amendment to the original proposed bill, which had several

technical issues. As with many bills that propose modifications to Maine’s criminal legal system response, this bill presented an [opportunity](#) to talk to Maine legislators about the broad spectrum of perspective that crime victims have about what they need and what criminal legal system responses will best respond to those needs.

[Resolve 2025, Chapter 81](#)

LD 1979: Resolve, Directing the Department of Corrections to Convene a Working Group to Examine the Establishment of a Program to Award Earned Time Credit for Educational Achievement to Persons Who Are Incarcerated

Sponsored by Representative Holly Sargent

Maine law provides for “good time” deductions from a person’s sentence of incarceration. An incarcerated individual, whether in the custody of the Maine Department of Corrections or a county jail, is eligible for a certain number of days each month to be subtracted from their sentence. Over the last several legislative sessions, criminal justice reform proponents have proposed creating an “earned time” structure, where residents can additionally earn days off their sentence by completing certain approved programming or attaining certain educational advancements. In response, the Maine Department of Corrections worked with the Maine Legislature this last session to pass a resolve that directs the MDOC to convene a working group to further discuss this issue, gather data, look at how other states with similar corrections systems address earned time credits, and report back to the Joint Standing Committee on Criminal Justice and Public Safety in December 2025 with recommendations. The resolve directs the MDOC to involve relevant stakeholders and interested parties, and the MDOC has communicated an intention to include victim services providers in this important conversation.

In the context of addressing domestic abuse and violence, MCEDV is often asked by policymakers for our perspective on what types of programming MDOC residents should have access to earn additional time off their sentences. MCEDV is engaged in conversations with our partners in other states and national experts in exploration of what alternative or additional corrections-based interventions may be appropriate for consideration here in Maine. Answers to this important question are complicated by victim safety concerns and a lack of research that goes beyond short-term recidivism data and fully accounts for impact of programming on survivors and their children. Prevention and Intervention Director Karen Wyman leads this work for MCEDV, together with partners at Maine’s Certified Domestic Violence Intervention Programs, the regional Domestic Violence Resource Centers, and the Maine Department of Corrections. Karen can be reached at Karen@mcedv.org for more information.

Updates to Required Considerations for the Court When Determining a Sentence

Current law directs a sentencing judge to consider, at a minimum, the character of the individual, the individual's criminal history, the effect of the offense on the victim, and the protection of the public interest when determining an appropriate sentence within the statutory sentencing range. Two new laws add minimum considerations to this list.

[Public Law 2025, Chapter 402](#)

LD 246: An Act to Establish the Option of Sentencing Alternatives for Primary Caregivers

Sponsored by Senator Rachel Talbot Ross

This new law requires the court to consider the effect of the potential term of imprisonment on those who may be relying on the convicted individual as their primary caregiver.

[Public Law 2025, Chapter 420](#)

LD 1113: An Act Regarding Fairness in Sentencing for Persons Based on Age

Sponsored by Representative Sophie Warren

This new law requires the court, when determining a sentence for Class A, B, or C crimes, to consider the age of the individual at the time they committed the conduct that served as the basis for the conviction.

OTHER CRIMINAL LAW UPDATES

[Public Law 2025, Chapter 496](#)

LD 1189: An Act to Allow an Attorney for the State to Determine Whether to Charge Certain Class E Crimes as Civil Violations

A recurring question in efforts to support criminal justice system reform in Maine is the question of what kind of crime should we prioritize a response to, given limited resources. The Maine Prosecutors Association worked with interested parties to adopt a change to Maine's Criminal Code to allow a prosecutor to charge most Class E crimes as civil violations if, upon consideration of certain factors, the circumstances do not warrant criminal prosecution. Prosecutors must consider:

- The severity of a defendant's conduct,
- The impact of that conduct on any victim,
- Any prior convictions or adjudications entered against the defendant, and

- Any other factor relevant to determining whether a criminal or civil sanction would best accomplish the purposes of the general sentencing provisions in the particular case.

There are exceptions for cases where a prosecutor does not have the ability to exercise this charging discretion. Those include cases where a defendant, if convicted, would be eligible for a term of probation, such as cases involving Violation of Conditions of Release where the violation was contact with a victim, or possession of a firearm, where the underlying crime involved domestic violence.

[Public Law 2025, Chapter 178](#)

LD 267: An Act Regarding the Remote Appearance of Counsel in Pretrial Nontestimonial Criminal Matters

Sponsored by Representative Adam Lee

In all criminal matters, unless the court orders otherwise in the interests of justice, the court is required to schedule all pretrial, nontestimonial criminal matters in a manner that permits the appearance of counsel by remote methods to the greatest extent possible.

Child Welfare System Response

[Public Law 2025, Chapter 240](#) (effective June 10th)

LD 1406: An Act to Amend Certain Definitions in the Child and Family Services and Child Protection Act

Sponsored by Representative Michele Meyer

As rates of children in state custody have steadily increased in Maine over the last several years, in contrast to the national trend, child welfare system stakeholders and policymakers have come together with the Office of Child and Family Services to look at ways to similarly reduce the trend in Maine by trying to focus on those cases that should be prioritized for state intervention.

The federal government, and a growing number of states have taken steps to formally recognize that poverty itself should not be a primary driver in defining child neglect by removing poverty from the definition of child maltreatment. This new law reflects a collaboration between the Maine Children's Alliance and the Office of Child and Family Services, with the support of a broad range of interested parties, to have Maine join the movement to apply a more nuanced approach to families living in poverty.

Maine's new law, which became effective after Governor Mills signed it in early June, removed "deprivation of essential needs" from Maine's abuse and neglect definition in Title 22. In its place, language was added to clarify that "abuse and neglect" also means serious harm or threat of serious harm by a person responsible for the child due to inadequate care or supervision of the child or deprivation of food, clothing, shelter, education or medical care necessary for the child's health or welfare by that person *when that person is financially able to provide food, clothing, shelter, education or medical care necessary for the child's health or welfare or is offered lawful and reasonable financial means or resources to do so.*

This language does not eliminate the concept of poverty from the abuse and neglect definition as clearly as some advocated for while the legislation was being considered, but it does make progress towards more family-centered practices and policies in Maine's child welfare system. MCEDV thanks the Maine Children's Alliance and the Maine Child Welfare Action Network for their steadfast work and advocacy in supporting the discussion about how Maine can embrace the growing sentiment that the child welfare response in communities should start with supporting families to get what they need to be the safe and stable families they want to be, in addition to, and sometimes as a complete alternative to, making a report of child abuse and neglect to the Office of Child and Family Services staff.

More information about the collaborative work happening to improve Maine's child welfare response can be found in the [Maine Child Safety and Family Well-Being Plan](#). The National Council of Juvenile and Family Court Judges (NCJFCJ) also has a helpful [resource](#) on the importance of not conflating poverty experienced by families with child neglect.

Other New Laws that Will Affect Maine's Response to Domestic Abuse and Violence

[Public Law 2025, Chapter 171](#)

LD 1598: An Act to Provide Relocation Assistance to Crime Victims

Sponsored by Representative Holly Stover

This new law makes a slight but meaningful modification to Maine's Victim Compensation Program statute by changing "security deposits" to "relocation expenses." This change will allow the program to engage in rulemaking to expand the types of expenses and losses that may be covered when a survivor needs to relocate – whether that relocation is to a new address in the same town, or a new address in another state.

Under Maine law, "eligible expenses and losses" that can be financially supported through

the Victim Compensation Program are expenses and losses resulting from a personal injury sustained by an individual as a direct result of a qualifying crime. These may include medical and medically related expenses; psychological or mental health counseling expenses; lost wages; funeral, burial and other homicide-related expenses; and travel expenses and loss of income of a claimant or family member for providing or obtaining care for the personal injury of a minor or incapacitated victim. The statute goes on to add some additional examples of things that may be covered:

“Eligible expenses and losses” may include costs of eyeglasses, hearing aids, dentures or other prosthetic devices taken, lost, destroyed or damaged as a result of the crime, costs to repair, replace or install locks or security devices, costs of crime scene cleanup and ~~security deposits relocation expenses~~. Expenses and losses claimed under this subsection must be expenses or losses actually and reasonably incurred.

Examples of expenses that we are hopeful the program rules will expand to include are things like transportation costs, moving costs, and costs that are associated with establishing a new residence in another state, like car registration and obtaining a new license.

More information on [Maine’s Victim Compensation Program](#) can be found by visiting the website of the Office of the Maine Attorney General.

[Public Law 2025, Chapter 115](#)

LD 1080: An Act Prohibiting Public Utilities from Requiring Deposits Based Solely on a Residential Customer’s Income

Sponsored by Representative Melanie Sachs

This new law will prevent a utility from requiring a deposit from an applicant for a residential utility based solely on the applicant’s income.

The current practice of Central Maine Power when a person contacts them to set up a new residential service is to ask: Do you have a source of income? If the person answers that they do not, the utility may require that person to pay a deposit up to the two highest consecutive billing periods incurred within the previous 12 months. This is a financial burden that can have an impact on survivors who have separated from their partner or who are in the process of separating. Even if the survivor remains in the previously shared home, often

utilities need to be transferred to them to ensure that the abusive person cannot interfere with them.

There was general agreement that only 0.33% of new residential service accounts declared no source of income (300 new accounts out of a total of 89,000). There was no evidence presented that these applicants defaulted on payments because of their lack of income. The impact of granting service accounts to these applicants without requiring what can be an onerous deposit would therefore be negligible on ratepayers. Increasing accessibility to the things every household needs increases overall safety and stability across communities.

More information can be found in the written testimony of both [Representative Melanie Sachs](#) and our colleagues at [Maine Equal Justice](#).

[Public Law 2025, Chapter 149](#)

LD 1081: an Act to Support Access to General Assistance at Municipal General Assistance Offices and Designated Places

Sponsored by Representative Melanie Sachs

This new law represents the next step in an ongoing conversation amongst advocates and policymakers around how to support people in accessing the public benefits that our laws and policies intend for them to have access to. It modifies what is required of municipalities in terms of public access to General Assistance programs. Going forward, municipalities are required to ensure that a person can obtain an application for General Assistance at any time a municipal office is open, with those hours clearly posted. A municipality can then designate daily hours for when an application for General Assistance will be accepted and processed, but those hours cannot be less than 50% of the municipality's regular business hours.

For example, if a municipality has offices open from 7am-6pm Monday through Thursday, and therefore is open for 11 hours on each of four days, they must accept and process General Assistance applications at least 5.5 hours each of those days. The hours that General Assistance applications will be accepted and processed must be posted in a prominent location as well. Importantly, this law retains the requirement that the municipality must issue a written decision on all applications within 24 hours, which must be posted together with the telephone number for the Department of Health and Human Services to report any violations.

Survivors and advocates have long shared that it can be very difficult to apply for what is sometimes essential financial support through General Assistance programs because of the

limited business hours in some municipalities, particularly in Maine’s rural communities. As recently as two years ago, survivors reported that some municipalities would only be accepted and processed one half of one day each week, which would put General Assistance functionally out of reach for some. This new law reflects the commitment of policymakers to address what had been pervasive access issues, while accommodating what had been raised as legitimate and understandable implementation challenges by municipalities.

[Public Law 2025, Chapter 347](#)

LD 1832: An Act to Clarify Available Relief for the Protection of At-risk Children

Sponsored by Senator Donna Bailey

This new law makes improvements to Maine’s process for addressing Special Immigrant Juvenile (SIJ) cases.

In June 2023, the Maine Commission on Domestic and Sexual Abuse (Abuse Commission) convened a panel discussion regarding Special Immigrant Juvenile (“SIJ”) cases to identify areas where there were barriers to accessing this form of relief for at-risk children, many of whom had experienced significant trauma and abuse. The information from the panel led the Abuse Commission to convene an action committee comprised of Commission members, members of the Judicial Branch, Department of Health and Human Services, the Maine Office of the Attorney General, probate court, and legal practitioners.

The Commission’s SIJ Action Committee identified and implemented several strategies to address the barriers identified, including training for practitioners and judicial officers and forms to support easier filing. The Action Committee recommended a statute change to clarify the distinction between the judicial proceedings for a petition for special findings and relief and a motion for special findings for certain at-risk noncitizen children, including the jurisdiction of certain courts in the State to adjudicate the proceedings. Also recommended was updating certain language and definitions in Maine law to better align with language used in other state and federal statutes.

[Testimony](#) from the Immigrant Legal Advocacy Project provides more information on how this new law supports a better process for SIJ cases.

Survivors who have questions or concerns about their immigration status can seek information and support from Maine’s [Immigrant Legal Advocacy Project](#) and [MCEDV’s member programs](#) are available to all survivors.

BILLS PASSED BY THE LEGISLATURE & HELD BY GOVERNOR MILLS

More than 60 pieces of legislation that were passed by the Maine Legislature in the final days of the 1st Special Session and sent to Governor Mills for her consideration are in limbo. With the Legislature having adjourned in late June and not scheduled to be back in session until January, Governor Mills has until the first three days of the next session to either veto these bills or allow them to become law without her signature. It is also possible, should Governor Mills have a concern with any of the bills that could be addressed with a modification by legislators, that the Legislature could recall those bills for continued work before sending them back to the Chief Executive at some point during the 2nd Session.

There are several pieces of legislation in this status that we care about, including one of our priority policy bills to support survivors of sex trafficking.

LD 1871: An Act to Permit Sealing Criminal History Record Information of Victims of Sex Trafficking or Sexual Exploitation

Sponsored by Sen. Rachel Talbot Ross

In 2024, the Maine Criminal Records Review Committee, which MCEDV has served on through the last several legislatures, recommended that the State expand the current process for the sealing of criminal record information to allow survivors of sex trafficking or sexual exploitation to seek a court order that prevents public access and dissemination of any criminal activity they were convicted of that was substantially related to the fact that they were trafficked. LD 1871 was proposed by MCEDV, in partnership with the Maine Coalition Against Sexual Assault, the American Civil Liberties Union of Maine, and Survivor Speak USA, and represents the legislative vehicle used to carry forward the recommendation from the Criminal Records Review Committee for this expanded relief.

Many victims of human trafficking experience involvement in the criminal justice system. Trafficking survivors report that their convictions were a result of their victimization. However, the impact of these convictions, obtained during a time in their lives where many were unable to disclose what was really going on, is often life-long, preventing survivors from fully healing and from fully participating in their communities. This may look like the victim who has subsequently gone on to get a college degree and wants to enter the medical field but cannot obtain relevant clinical experience or licensure due to their criminal record. This also comes up for survivors who have had children years later and who are now prohibited from volunteering at their child's school because they can't clear a background check.

Maine is one of only a handful of states that does not recognize this reality by having some kind of criminal record relief for sex trafficking victims.

A [2023 report by Polaris](#) on the criminal record relief statutes in the 50 states and the District of Columbia for survivors of human trafficking served as a guide for the development of LD 1871 and a basis for the recommendation from the Criminal Records Review Committee, together with compelling survivor stories during the 129th Legislature.

No fiscal impact was identified for the implementation of LD 1871, so this important policy relief for crime victims could be implemented without any further costs to the State.

A companion bill, **LD 1805, An Act to Establish a Post-conviction Review Process for Crimes Committed by Victims of Sex Trafficking and Sexual Exploitation**, would create a process for victims of sex trafficking and sexual exploitation to have their convictions reversed. This too was a recommendation from the 2024 Criminal Records Review Committee and had bipartisan support in the Maine Legislature. However, there were costs identified with implementation of this new process. As a result, LD 1805 is carried over to the 2nd Session in the possession of the Joint Standing Committee on Appropriations and Financial Affairs as the Legislature determines whether the State will appropriate approximately \$900,000 needed for it to be enacted.

LD 259: An Act to Establish the Criminal Records Review Commission in Statute

Sponsored by Senator Rachel Talbot Ross

Policymakers continue to propose, debate, and discuss what actions should be taken to limit the collateral consequences of criminal convictions in our state. This involves a need to consider to what degree public safety is connected to public access to convictions, what convictions we should be most concerned about, what processes should be used to give convicted persons some form of relief from the long-term economic and social consequences of their convictions, unintended consequences of reform, and the legal system's accountability to victims of crime. These issues are complex and do not readily lend themselves to simple, standalone solutions. For several years, the State of Maine has attempted to address that reality through the convening of a Criminal Records Review Committee, a broad range of interested parties who meet to work through these issues and bring forward thoughtful proposals. MCEDV has participated in each iteration of this multidisciplinary group. However, these committees have been time-limited, and the term of

the last committee has expired. LD 259 would create a permanent committee authorized to continue this work.

LD 533: An Act to Allow Residents of the Department of Corrections to Opt In to Additional Restitution for Their Victims

Sponsored by Representative Nina Milliken

This proposal would create a process for residents of the Maine Department of Corrections to opt to provide financial compensation to victim(s) of their criminal conduct over and above any court-ordered restitution. Residents of MDOC facilities can and typically do earn income while incarcerated. In fact, each month, MDOC residents collectively earn tens of thousands of dollars. For those with restitution obligations, MDOC can garnish up to 25% of a resident's earnings to be applied to that obligation. Enactment of LD 533 would create a pathway for a crime victim to receive additional financial compensation from the person who caused them harm, if that incarcerated person initiates the process to provide this voluntary compensation to the victim of their crime. Any voluntary restitution payments made but not claimed by the intended recipient would be allocated to the Victim Compensation Program. MCEdV consulted with Representative Milliken on this proposal, as did the MDOC. Though the request to create this new process was made by a currently incarcerated individual, and it is unclear the extent to which this process would be of interest to other residents, LD 533 represents a workable framework that provides adequate protections for victims and addresses foreseeable unintended consequences. If enacted and utilized, this could be a way for those who have caused harm to engage in reparation, supporting the healing and financial wellbeing of those they have victimized.

LEGISLATIVE PROPOSALS CARRIED OVER TO NEXT SESSION DUE TO NEEDED APPROPRIATIONS

Emergency Parental Rights and Responsibilities Orders in Maine's Family Courts

LD 504: An Act to Improve Family Court Procedure

Sponsored by Senator Anne Carney

For many years now, the Maine Commission on Domestic and Sexual Abuse has suggested the State should create a process in Maine's family courts that allows a parent to seek an emergency parental rights and responsibilities order when they have reason to believe the other parent poses an imminent risk of harm to their child. In 2022, the Commission conducted [a study and presented findings and recommendations](#) to the Joint Standing Committee on Judiciary related to this topic. The study found that Maine's courts struggle to respond timely to the immediate safety concerns that parents have regarding the other parent's risk of harm to a child and, again, recommended the creation of an emergency family court petitioning process. The 131st Legislature supported the creation of this process, but the Maine Judicial Branch has identified a cost for implementation. The Maine Legislature failed to appropriate the necessary \$400,000, and so the legislation ultimately failed.

Maine's Commission on Domestic and Sexual Abuse has identified the need for Maine to have an emergency family court petitioning process. The Commission's December 2022 report can be found [here](#).

The 132nd Legislature now has an opportunity to pick up where the 131st Legislature left off. LD 504 was again supported as appropriate public policy. And again, it is held up in the Joint Standing Committee on Appropriations and Financial Affairs waiting for appropriations of the just over \$400,000 needed for enactment. This bill is carried over to the 2nd Session where it will continue to compete for needed appropriations.

MCEDV thanks Senator Carney for her continued partnership in support of this important policy and process change.

Victim Notification for Maine's County Jails

LD 981: An Act to Facilitate the Establishment of an Automated Crime Victim Notification System

Sponsored by Senator Anne Carney

Maine has a strong statutory framework that makes clear the importance of universal notification to crime victims of domestic violence, sexual assault, and stalking when the person who caused them harm has been released on pre-conviction bail. Maine does not, however, have an electronic system for carrying out these notifications. Almost every other state has found a way to do this. Creation of an electronic victim notification system would advance Maine's ability to contact victims in real time to provide one of the most important updates victims receive in the life of a criminal case: change in the custody status of the 30

person who has harmed them. LD 981 would provide financial resources to Maine's county jails to implement an electronic notification system.

Implementation of electronic crime victim notification in many other states has been a collaborative and time intensive process. Such a process is essential to ensure any system is implemented in a way that respects each victim's choice regarding whether and how they participate; that ensures data is collected and shared responsibly; and that thoroughly explores in advance any foreseeable issues. It is important that any system rolled out in Maine is supported by a similarly collaborative, transparent, and thoughtful process. MCEDV looks forward to continuing work with our colleagues at the Maine Sheriffs Association and the Maine Office of the Attorney General to explore the best ways to design and implement safe, functional, and sustainable electronic victim notification here in Maine.

Protecting Crime Victims from Inappropriate Practices of Certain Private Investigators

LD 534: An Act to Clarify the Rights of Crime Victims and Witnesses Regarding Professional Investigator Communications

Sponsored by Representative Tavis Hasenfus

This bill was submitted by the Maine Prosecutors Association, with the support of victim services providers across the state, to codify a requirement that private investigators clearly identify themselves when attempting to interview a crime victim and cease attempting to contact a crime victim if the victim communicates they do not wish to be further contacted.

During discussions around this proposal, the Maine Legislature heard from several private investigators who outlined that the normal practice is to introduce themselves, show their credentials, and be transparent about who has retained them to conduct the investigation. Unfortunately, this has not been the universal experience of crime victims. The proposed legislation would not prevent private investigators from seeking to interview victims. It would simply ensure that victims have the information they need to make an informed choice about whether they want to speak to the person, and to be left alone if they decide they don't.

Unfortunately, the Maine Commission on Public Defense Services communicated that it would cost almost \$400,000 to implement this legislation. Therefore, when the financial resources needed were not appropriated during the waning days of the 1st Special Session, the bill was carried over to the 2nd Session. Though this measure was not supported by three

members of the Criminal Justice and Public Safety Committee, it had broad bi-partisan support. MCEDV is hopeful that policymakers will enact this legislation in the 2nd Session, and that crime victims will benefit from these reasonable, common-sense protections.

Improving Child Protection Court Processes

LD 1544: An Act to Support Families by Improving the Court Process for Child Protection Cases

Sponsored by Senator Donna Bailey

LD 1544 would enact three recommendations from the Maine Child Welfare Advisory Panel (MCWAP). MCWAP is one of three child welfare citizen review panels in Maine. It serves some of the required citizen oversight functions required by the federal Child Abuse Prevention and Treatment Act and the Children's Justice Act. In MCWAP's [2024 Annual Report](#), the Panel recommended three modifications to the way court processes function in child welfare cases:

- Repeal a prior involuntary termination of parental rights as an aggravating factor (22 M.R.S. § 4002(1-B)(C));
- Amended 22 M.R.S. § 4055 to make the Department's state and federal obligation to provide reasonable efforts to rehabilitate and reunify a discrete element that is required prior to termination of parental rights; and
- Explicitly require the consideration of the trauma to the child of removing the child from their home and documentation of how that has been weighed against the immediate risk of serious harm to the child the Department has identified to justify their filing of a Preliminary Protection Order, together with requiring the Court to make findings that the anticipated harm outweighs the likely trauma of removal.

MCEDV participates on all three of Maine's child welfare citizen review panels: MCWAP, the Child Death and Serious Injury Review Panel, and the Justice for Children Task Force. We supported all three of these recommendations from MCWAP. More information about these particular recommendations and why they are needed can be found in MCWAP's [report](#).

There are certainly cases where removal of a child from their caregivers and even the termination of parental rights is the necessary, right decision. Though advocates from Maine's regional Domestic Violence Resource Centers are available to support survivor parents in their efforts to be able to safely parent their children, the need for removal, and sometimes termination of parental rights, can exist even when one of the parents is a victim of domestic violence. But our current court processes are structured in a way that far too

frequently overvalues compliance with a state agency-issued checklist that is not well tailored for the individual case, over and above consideration of whether the system has done everything it can to try and accomplish a safe and stable, intact family. Passage of the amendments in LD 1544 would realize an increased level of fidelity to the existing purposes and goals of Title 22, while not requiring the Department of Health and Human Services to take any additional steps than what state and federal law already require of them. These amendments would simply require the State to more completely articulate and justify the steps it has taken to meet the State's legal obligation to try and avoid removal whenever possible and to engage in reasonable efforts to rehabilitate and reunify when removal is unavoidable, prior to interfering with or severing a constitutionally protected relationship.

The Department informed the Maine Legislature that it would cost \$2,400,000 each year to implement these modifications. The Department communicated that, had these provisions been in place at the time, every child in state custody with parental rights termination last year would have needed to remain in state custody for an additional three months. \$2,400,000 represents the cost to the State for the payments that would need to be made to placements for these children. Though the policy garnered strong bi-partisan support, there were insufficient general funds to appropriate for that purpose, and it was not enacted. The bill is carried over to the 2nd Session for continued consideration.

ADDITIONAL POLICY ISSUES DISCUSSED IN THE 1ST SESSION

Improving Maine's Response to Strangulation

Lawmakers considered a proposal to change Maine's Criminal Code and certain court procedural rules to improve responses to and prosecutions of strangulation. The initial proposal raised constitutional questions, but the bill highlighted the need for the State to review where we are now ten years after strangulation was explicitly codified in the Criminal Code. The Joint Standing Committee on Judiciary has asked the Maine Commission on Domestic and Sexual Abuse to report back to the Committee in the 2nd Session with recommendations.

The Abuse Commission is taking time over the summer and fall to give particular attention to:

- The structure of the current aggravated assault statute and whether the criminal code should set out strangulation as a separate crime;
- Whether the statute should additionally codify the concept of "suffocation," which has the same lethal effects as strangulation; and

- If any additional training is recommended or should be required regarding the investigation and prosecution of strangulation and suffocation for professionals within Maine's criminal legal system.

MCEDV is chairing a working group with the expectation that recommendations will be shared back with the Abuse Commission for review and discussion this Fall. The Abuse Commission last reported to the Maine Legislature on recommendations for the state's response to strangulation in [this](#) 2012 report.

Eliminating Violations of Conditions of Release (VCR)

As it has been for every Legislature in recent history, the issue concerning whether the state should retain the standalone crime of violation of conditions of release was again brought forward in the 132nd.

When a person is charged with a domestic violence crime, conditions of release are almost always issued to the defendant that include a prohibition from having any contact with the victim; a requirement to stay away from the victim's home, school or place of business; and a restriction on access to weapons. Issuance of these conditions is one of the primary ways our criminal legal system attempts to create safety and space for survivors to feel protected and start healing. When a defendant then goes on to have contact with that victim or to violate their peace by proximity, under current law they are charged with the Class E crime of violation of conditions of release. If the person is initially charged with a felony level crime, and violates a condition, that VCR is charged as a felony crime. A violation of a clear and unambiguous court order designed to protect a crime victim should result in swift and sure consequences – particularly for those individuals who perpetrate domestic violence, most of whom believe that the price of any consequence for their behavior will not be more than they are willing to pay.

MCEDV has consistently noted that the removal of the criminal legal system's ability to respond swiftly and with a real consequence to a perpetrator's continued refusal to leave the person they have victimized alone would be a violation of the basic responsibility that our criminal legal system has to crime victims. Absent the implementation of criminal court restraining orders in domestic violence cases, which many other states have, the elimination of VCRs would be grossly out of step with a functional criminal court response to victims in these cases.

MCEDV is grateful that policymakers continue to refuse to remove the safety net that VCRs are to DV victims as a response to ongoing abusive conduct. We remain hopeful that, one day, the state will invest in a structure that can provide these protections and retain the ability for swift accountability for violations in these high risk cases through a criminal court issued restraining order, which these conditions of release orders functionally serve as, without the unintended consequences that we see broad applicability of VCRs causing in other case types, notably those cases that involve a defendant with serious substance use or mental health challenges.

Depositions of Crime Victims

A bill was proposed that would give criminal defense attorneys the right to demand the deposition of any crime victim as a matter of course in any criminal case. MCEDV was deeply concerned about the unintended consequences of this proposal, LD 1780, An Act to Secure Under Authority of a Subpoena Pretrial Statements from a Witness Other than the Defendant in a Criminal Proceeding.

Crime victims are not parties in criminal legal cases; they must rely on prosecutors, system-based victim witness advocates, county corrections, bail commissioners, and judges to appropriately respond to their individual circumstances and needs. None of these system-based professionals have the responsibility or legal authority to act as an attorney for the victim, or to advise or intervene on their behalf. For victims of domestic abuse and violence a system for unchecked depositions could serve as a deterrent to seeking help from law enforcement and additionally have the impact of impairing their ability to secure long-term civil court orders that address safety and stability in ways that are often more responsive to their individual circumstances.

MCEDV is grateful that codifying such a structure here in Maine was resoundingly rejected by a strong bi-partisan vote in the Joint Standing Committee on Judiciary. More information about the likely consequences of this proposal on crime victims can be found in the thoughtful [testimony](#) from our colleagues at the Maine Office of the Attorney General.

UPCOMING IN THE 2ND REGULAR SESSION

The 2nd Regular Session of the 132nd Maine Legislature will be convened on Wednesday, January 7th, 2026. Some of the issues likely to be discussed in the second session relevant to victims of domestic abuse and violence include:

- **Funding for Supportive Victim Services.**

MCEDV will continue to work with legislators to foster a broad understanding of how years of flat funding in the face of ongoing cost increases have exacerbated challenges to victim services providers in meeting the needs of some of Maine’s most vulnerable. Funding LD 875 is critically important.

- **Funding for Evidence-Based Domestic Violence Intervention.**

Maine’s network of certified domestic violence intervention programs continues to struggle to keep their doors open with years of minimal state investment. MCEDV will work with the network to advocate for the necessary funding proposed in LD 666.

- **Parole and other Early Release Mechanisms.**

The Maine Legislature continues to discuss whether and how to re-establish a formal parole structure in our state. This issue is before the 132nd Legislature through LD 1941, An Act to Implement Recommendations of the Commission to Examine Reestablishing Parole, sponsored by Representative Nina Milliken. Other related issues likely to be discussed include a structure for incarcerated individuals to earn time off their sentences through the completion of certain programs.

- **Maine’s Response to Strangulation and Suffocation.** Strangulation was only explicitly codified in Maine’s criminal code approximately 10 years ago. More than 25 other states now also expressly codify suffocation, recognizing it as similar to strangulation in risk of lethality and the extent to which suffocation behaviors also exhibit an extreme indifference to the value of human life. LD 1572 has been carried over to continue the discussion about the next right step in the evolution of Maine’s response to these very serious crimes.

MCEDV looks forward to continuing to work closely with our community partners and policy makers to protect and enhance Maine’s structure for responding to domestic abuse and violence in our state.

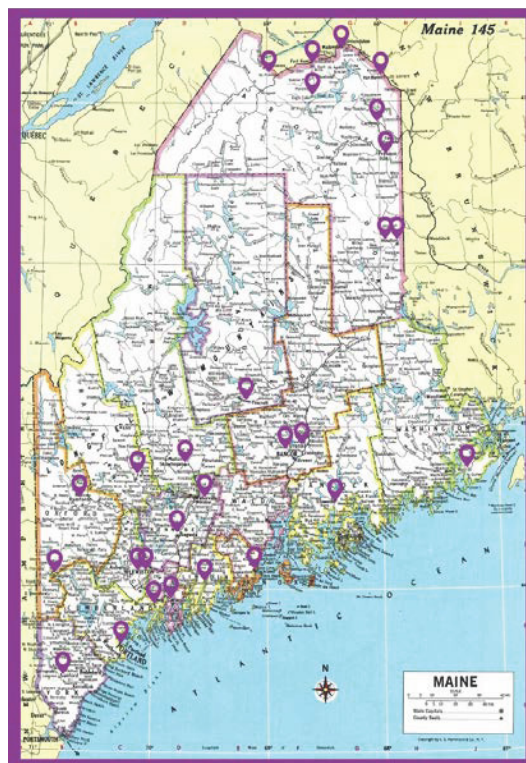


MCEDV, the Maine Coalition Against Sexual Assault, Pine Tree Legal Assistance, Legal Services for Maine Elders, legislators, advocates, and survivors held a rally and press conference at the State House in support of funding for victims’ services in Maine.

SUMMARY

MCEDV exists to advocate for a world that acknowledges the pervasive existence of domestic abuse and violence in our communities, works to prevent these crimes, holds those who engage in domestic abuse and violence accountable for their actions and beliefs, and makes healing and safety possible for survivors. We are committed to ensuring our public policy work aligns with these ends. We are grateful for the partnerships we have throughout our statewide and local communities in a wide variety of policy areas. As Maine's 132nd Legislature continues their work, we will continue to persist in our advocacy to advance the state's response to survivors of domestic abuse and violence and their children. For more information about our public policy work, please contact:

Andrea Mancuso, Public Policy Director
Maine Coalition to End Domestic Violence
andrea@mcedv.org



A map of the Coalition's Domestic Violence Resource Centers and Outreach Locations.

As always, for victims of domestic abuse and violence and those who care about them, help and support is available 24/7 from Maine's regional Domestic Violence Resource Centers. Find out more at www.mcedv.org.

We are the Maine Coalition to End Domestic Violence.

