

# MAINE STATE LEGISLATURE

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THE GOVERNOR

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NO. \_\_\_\_\_  
DATE June 23, 2004

**AN ORDER TO ESTABLISH THE GOVERNOR'S ADVISORY COUNCIL ON THE PREVENTION OF DOMESTIC AND SEXUAL VIOLENCE AND THE PROSECUTION OF RELATED CRIMES IN MAINE**

**WHEREAS**, domestic and sexual violence are widespread community problems, affecting Maine families regardless of geography, income or education;

**WHEREAS**, the effects of domestic and sexual violence are suffered not only by victims, who are robbed of their dignity and sense of security, but also by their children, families, those that care about them and the community as a whole;

**WHEREAS**, because domestic and sexual violence are not only crimes, but violations of a person's basic rights as a human being, all victims deserve our support and protection, and all offenders must be held accountable;

**WHEREAS**, over many years, groups on the community, municipal and state levels have contributed invaluable to the prevention of domestic and sexual violence and the prosecution of related crimes in Maine and to raising public awareness of these critical issues;

**WHEREAS**, domestic violence may incorporate violence of a sexual nature;

**WHEREAS**, the number of repeat offenses by known domestic violence perpetrators comprises a significant portion of the total number of offenses committed across the state;

**WHEREAS**, victims of domestic violence, particularly those who have sought assistance from the state's law enforcement, judicial and social services systems, are entitled to protection from future abuse at the hands of known domestic violence offenders;

**WHEREAS**, victims of sexual violence, particularly those who have sought assistance from the state's law enforcement, judicial and social services systems, are entitled to recognition and protection;

**WHEREAS**, improvements can be made to the depth and scope of protection provided to victims of both domestic and sexual violence;

**WHEREAS**, comprehensive information pertaining to domestic and sexual violence perpetrators and instances of abuse is integral to the prevention of violence, particularly the prevention of repeat attacks by known offenders;

**WHEREAS**, the compilation, availability and effective use of such information depends upon coordination among law enforcement agencies, prosecutors, the Office of the Attorney General, courts, advocacy programs, social service agencies, schools, health care providers, and employers;

**WHEREAS**, Title 19-A M.R.S.A. § 4013 created the Maine Commission on Domestic and Sexual Abuse (the “Commission”) to advise and assist the executive, legislative and judicial branches of State Government on issues related to domestic and sexual abuse;

**WHEREAS**, since 1990 the Commission has demonstrated knowledge and expertise in the issues surrounding domestic and sexual violence and has produced numerous reports and made recommendations relevant to the prevention of domestic and sexual violence and the prosecution of related crimes; and

**WHEREAS**, State agencies, the courts, academic institutions and the Commission have much to gain from a comprehensive reassessment of the State’s approach to the prevention and prosecution of domestic and sexual violence.

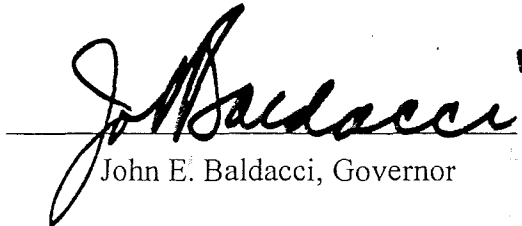
**NOW, THEREFORE**, I, John E. Baldacci, under the power vested in me as Governor of the State of Maine, do hereby create the Governor’s Advisory Council on the Prevention of Domestic and Sexual Violence and the Prosecution of Related Crimes in Maine. (the “Council”). The Council shall be comprised of the Chair of the Commission; the Commissioner of the Department of Public Safety, or his designee; the Commissioner of the Department of Administrative and Financial Services, or her designee; the State Court Administrator, as made available by the Chief Justice of the Supreme Judicial Court; and, a member of the faculty of the University of Maine School of Law. The chair of the Council shall be the chair of the Commission. The Council shall:

1. Survey the status of the prevention of domestic and sexual violence and the prosecution of related crimes in Maine.
2. Study the use of information technology infrastructure to facilitate the compilation, availability and flow of information necessary to the prevention of domestic and sexual violence and the prosecution of related crimes.
3. Examine the impact that state law, court rules, and sentencing and bail laws have on the effectiveness of the prevention of domestic and sexual violence and the prosecution of related crimes.

4. Recommend improvements to the prevention of domestic and sexual violence and the prosecution of related crimes based upon the results of the Commission's survey and its study of the use of information technology infrastructures and the impact of state law, court rules and sentencing and bail policies.
5. Recommend educational mechanisms to enhance institutional understanding of the significance of information pertaining to domestic and sexual violence perpetrators and instances and patterns of abuse.
6. Develop community empowerment strategies and community-based responses to enhance and supplement traditional criminal legal approaches to combating domestic and sexual violence.
7. Issue to the Governor no later than February 14, 2005, a comprehensive report containing the Council's findings and recommendations on the above issues.

The Council, as it carries out its mandate under this Executive Order, will be given administrative support out of existing resources by the Department of Public Safety, the Office of the Governor, and the Department of Administrative and Financial Services. The members of the Council shall serve without pay, except as otherwise provided in law.

The effective date of this Executive Order is June 23, 2004.



John E. Baldacci, Governor