

**From:** Robert Sand (he/him)  
**Sent:** Wednesday, February 8, 2023 12:46 PM  
**To:** Martin LaLonde  
**Subject:** H. 41

To the House Judiciary Committee,  
As you contemplate H. 41 regarding responses to Domestic and Sexual Violence, I hope you will consider these personal reflections.

H. 41, related to community referrals for domestic and sexual violence, represents an important and positive change in how we respond to these cases. The evolution in our thinking about DV and SV has shifted dramatically over the years and this bill reflects the most enlightened contemporary thinking.

Our current system outsources responses to harm to the state. However, the state is a rather blunt instrument and one that frequently divests people most directly harmed of a meaningful voice in shaping the outcome. Because of this divesting of autonomy (and for many other reasons), people harmed by domestic or sexual violence often report reluctantly or not at all. Creating an additional, structured, way to respond to instances of domestic and sexual violence not only further empowers harmed parties but helps ensure their needs are met and will result in an overall improvement in community and public safety.

Nothing in H. 41 mandates participation in a community-based program or precludes a harmed party from reporting to law enforcement and participating in the traditional approach. The bill, instead, creates an important option. Victims of DV and SV have power imposed on them. This bill returns some of the power back to them.

In addition to creating an important option for those harmed by DV or SV, this bill will allow for more meaningful accountability for those who cause harm. Our current approach imposes consequences and punishment on those who cause harm but asks very little of the responsible party by way of making amends. Restorative responses create active accountability where the responsible party must contemplate the harm they have caused, make a meaningful apology, and take active steps to avoid creating further harm.

As a final comment, sunseting this change is not helpful. The bill already includes a reporting provision. If a subsequent legislature thinks the changes contemplated here are not effective, the legislature can revisit the statute. Building in a sunset now is simply not needed.

I am happy to discuss this further if the Committee wishes. Please share with all the Committee Members.

Thank you.

Bobby

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