

## Testimony In Opposition to LD179

Good morning,

I am writing today to provide Testimony in Opposition to LD179. When I heard about the bill as presented, I was shocked at the irresponsibility of it, and how much of a failure this passing would be to victims of crimes in Maine.

While the thought process is “Its only a Class E crime”, it is a mechanism to immediately provide protection for victims when the defendant has failed to keep their promises for their conduct as ordered by the Court. I can assure you the Court is careful in giving conditions that are only necessary to protect public safety and ensure the defendants participation in the Court system.

The law is quick to point out that it doesn't remove the Class C Violation of Bail. Which requires two things, one the underlying crime has to be a felony, and second that the violation relates to possession of a firearm or contact with a victim.

The first half is wrought with concern, before getting to the limited situations where a felony crime would be brought. For example, the Legislature in their zeal to prevent felony convictions, and avoid financially supporting the Court system determined the following laws should be misdemeanors. Many in my list have enhancements which could lift the referenced charge to a felony.

Sexual Abuse of a Minor – Class D

Domestic Violence Assault – Class D

Sex Trafficking – Class D

Possession of a Firearm due to Drug Addiction – Class D

Unlawful Sexual Contact – Class D

Unlawful Sexual Touching – Class D

Stalking – Class D

Reckless Conduct – Class D

Visual Sexual Aggression Against a Child – Class D

So, for all these offenses it would be impossible for violation of the Courts order to commit a crime. If the offender violated any provision, a report would go to the DA, who would review it when they are able to obtain a warrant. So, for those several days for this to be processed our communities are forced to endure a non-compliant offender free ranging their town.

Now, even if the charge is a heinous one the only Felony violation of bail relates to possession of a firearm if ordered or contact with the victim. So, for instance if a subject is charged with sexually abusing a child, that person could have contact with children and not be subject to arrest by law enforcement until the appropriate paperwork is filed and

reviewed. If a defendant is charged with getting drunk and strangling his significant other, and is violent when they drink, they can remain in that drunken stupor until everything is reviewed, and maybe a few days later the victims will be safe.

This is unacceptable, and I would encourage the committee to engage with organizations that work to protect victims rather than running with a lazy idea to avoid appropriately funding defense counsel, and the Court system.

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