



MAINE ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

P.O. Box 17642
Portland, ME 04112-8642
(207) 523-9869
mainemacdl@gmail.com

February 27, 2025

2024-2025 OFFICERS

President
Jeremy Pratt

President-Elect
Matthew D. Morgan

Vice President
Sarah E. Branch

Secretary
Luke Rioux

Treasurer
Justin Andrus

2024-2025 DIRECTORS

Jesse James Archer
Randall Bates
Dylan R. Boyd
Daniel Dubé
Andrew Edwards
Benjamin T. Everett
Kristine C. Hanly
James Mason
Joseph Mekonis
Jennifer Rohde
Robert J. Ruffner
John Steed
Caitlyn Smith
Lisa Whittier

EXECUTIVE DIRECTOR

Tina Heather Nadeau

Senator Anne Carney, Chair
Representative Amy Kuhn, Chair
Joint Committee on Judiciary
100 State House Station, Room 438
Augusta, ME 04330

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

Dear Senator Carney, Representative Kuhn, and Members of the Committee on Judiciary,

MACDL opposes LD 670.

This proposal seeks to expand Maine's current protection from abuse laws to define and include "coercive control" as a recognized form of domestic abuse. MACDL is concerned about the broad and ambiguous language of this bill and the potential impacts this broadening could have on criminal prosecutions.

The proposed expansion of the law to include "coercive control" lacks clear, objective criteria for enforcement. Unlike the definitions of abuse in the current law, coercive control is often subjective and open to interpretation. This lack of clear legal standards could lead to significant unintended consequences, including the misuse of protective orders in contentious family disputes, particularly in divorce and child custody cases, as well as increased criminal prosecutions under these vague definitions.

Notably, the behaviors sought to be protected by LD 670 are already addressed under existing portions of Maine's Protection from Abuse statutes. For example, our current law provides protections against harassment, intimidation, stalking, financial abuse, threats, restricting movements, and forcing someone or preventing someone from engaging in an activity. *See* Title 19-A M.R.S. §4102. The current laws ensure that victims have swift legal recourse for both physical and non-physical abuse, without the need for additional overly broad and subjective language.

We encourage the Legislature to explore alternative measures that strengthen protections for victims while maintaining clear legal standards and safeguards for due process. Enhancing access to existing domestic violence resources, increasing funding for shelters, and expanding counseling services would provide more effective support. For these reasons, MACDL asks that you vote "ought not to pass" on LD 670.

Sincerely,

/s/ Eric S. Thistle
Eric S. Thistle, Esq.
MACDL Member