

# Maine PRISONER ADVOCACY Coalition



March 17, 2025

Senator Beebe-Center, Representative Hasenfus and distinguished members of the Criminal Justice and Public Safety Committee: My name is Jan Collins, I am Assistant Director of Maine Prisoner Advocacy Coalition (MPAC) an organization committed to ethical, positive, and humane changes in Maine's prison system. I am testifying in opposition to **LD 532 An Act to Protect Health Care Workers by Addressing Assaults in Health Care Settings**.

People in their right mind do not attack the people who are trying to help them.

The Maine Monitor published an article in July of 2024 following up on **L.D. 1119** – which passed in July 2023, and **increased charges** for an assault occurring in an emergency department setting, regardless of whether the victim is a health care worker, from a Class D crime — punishable by up to 364 days in jail and a \$2,000 fine — to a Class C crime, punishable by up to five years in prison and a \$5,000 fine. The article reported that “prior to the new law, health care workers filed 167 intentional injury lost time claims in the first seven months of 2023; 114 were filed in the first four months after the law took effect.”<sup>1</sup>

The article also concluded that “...the expanded law hasn’t helped deter violence in the year since it was passed and that it adversely affects those with mental health issues, who may be more likely to act violently in emergency settings.”<sup>2</sup>

We have a severe shortage of mental health services and facilities. Those that do exist have long waiting lists, are not fully staffed or are missing from the landscape, particularly in rural Maine... As a result, the only place for someone who may be in a state of psychosis and unaware of their behavior is a hospital emergency room.<sup>3</sup>

This bill, like LD 1119 is misnamed. It will not protect health care workers, but it does punish people with mental health issues who are looking for help.

Health care workers should not have to tolerate assault, so let us take a serious look at what it would take to truly protect them.

First, fully fund mental health crisis services. I live in Franklin County. We no longer have a mobile crisis unit, although we have been promised for the future. The only place for someone in crisis to go for help is the Franklin Health emergency department. Once there, they may wait days or weeks for a bed to open up in a mental health unit. When one of my family members was in crisis, she stayed three days in the emergency department before a bed opened up in Fort Kent, 5 hours away.

Second, regularly train hospital staff in deescalation techniques.

Third, provide spaces in the hospital where people who are in crisis can feel safe.

Our courts are backlogged, jails are not treatment centers. If we truly care about health care workers, we will look for solutions that protect them and provide treatment, not punishment, for those who are suffering a mental health crisis.

Thank-you for opposing this bill.

With appreciation,

Jan M. Collins

*Assistant Director*

*Maine Prisoner Advocacy Coalition*

*PO Box 360, E. Wilton, ME 04234  
207.578.8419*

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<sup>1</sup> Foust, Alexa. Maine Monitor. *A law passed last year made assault in an emergency room a felony. Did it help curb violence?* July 13, 2024. <https://themainemonitor.org/violence-against-health-care-workers-law-impact/>

<sup>2</sup> [#:~:text=The%20Maine%20Medical%20Center%20emergency,violence%20and%20protect%20nonmedical%20staff.](#)

<sup>3</sup> *Ibid.*

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