

# STATE OF MAINE

**KATHRYN SLATTERY**  
DISTRICT I

**JACQUELINE SARTORIS**  
DISTRICT II

**NEIL MCLEAN**  
DISTRICT III

**MAEGHAN MALONEY**  
DISTRICT IV



**R. CHRISTOPHER ALMY**  
DISTRICT V

**NATASHA IRVING**  
DISTRICT VI

**ROBERT GRANGER**  
DISTRICT VII

**TODD R. COLLINS**  
DISTRICT VIII

## **MAINE PROSECUTORS ASSOCIATION SHIRA BURNS, EXECUTIVE DIRECTOR**

**“An Act to Amend the Laws Governing the Crime of Endangering the Welfare of a Child”  
Before the Joint Standing Committee on Criminal Justice and Public Safety  
Public Hearing Date: March 17, 2025  
Testimony Not for nor Against LD 592**

Senator Beebe-Center, Representative Hasenfus and members of the Joint Standing Committee on Criminal Justice and Public Safety. My name is Shira Burns and I represent the Maine Prosecutors Association. I submit this testimony not for nor against LD 592.

The Maine Prosecutors Association absolutely respects our collaborative partnership with the Maine Coalition to End Domestic Violence and all the domestic violence recourse centers in the State of Maine. We respect the proposition that women still tend to be the primary caregiver for children. It is undeniable that men still abuse women and women have to make decisions every day on how to keep their children and themselves safe. These decisions are very hard as we know that when women leave an abusive partner the safety risk to their children and themselves go up. Prosecutors are committed to holding offenders accountable for their actions while providing for victim safety. There is no prosecutorial intention to hold victims accountable for not leaving abuse relationships, especially since the research shows us that is when they are most at risk. We will continue to work with our trusted allies to help support victims.

Prosecutors are also faced with the problem of children sustaining serious bodily injury<sup>1</sup> and not having a criminal statute on point that takes into consideration the severity of the child’s injury that resulted from a caregiver’s reckless violation of a duty to care or protect. Prosecutors have utilized our Aggravated Assault<sup>2</sup> statute in the past, but the ability to utilize that statute has been sitting with the Maine Supreme Court for two years regarding its applicability. In the meantime, those cases are not proceeding forward in the criminal justice process. Prosecutors are looking for clarity on what criminal statute to utilize when a caregiver’s actions are so reckless it results in a child sustaining serious bodily injury.

For these reasons, the Maine Prosecutors Association is not for nor against LD 592.

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<sup>1</sup> Serious bodily injury means bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement or loss or substantial impairment of the function of any bodily member or organ, or extended convalescence necessary for recovery of physical health. 17-A M.R.S. § 2 (23).

<sup>2</sup> 17-A M.R.S. § 208.