

# Maine PRISONER ADVOCACY Coalition



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## Testimony in opposition to LD 670 to the Committee on Judiciary

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Senator Carney, Representative Kuhn, and distinguished members of the Committee:

My name is Peter Lehman and I live in Thomaston. I am a formerly incarcerated citizen and a person in long-term recovery.\* I am testifying in opposition to LD 670 on behalf of the Maine Prisoner Advocacy Coalition whose goal is to promote restorative practices in order to increase public safety and the health of our community.

**LD 670** adds “Engaging in Coercive Control” to the definition of abuse and defines the term in the protection from abuse laws. This is an important issue since we know that coercive control can form the basis for other forms of abuse and helps build a wall of secrecy around the abuse.

**HOWEVER**, the bill as written is too vague for even-handed enforcement and to guard against misuse.

The list of examples of possible coercive control makes it appear that the definition is clear and concrete, but these are merely examples or illustrations of **POSSIBLE** coercive control. Put another way, these behaviors, in and of themselves, are **NOT** inherently coercive or at least not necessarily problematic.

In case this isn’t clear, these same behaviors are common and unremarkable parenting behaviors. Yet the ambiguity and misleading list of illustrations could lead to misuse in protection orders, family disputes, and even criminal charges.

A key element of this proposed statute is “**pattern** of behavior” without adequate definition of what constitutes a “pattern of behavior” for the purposes of this statute.

The other key words in this bill are “**designed to.**” This seems to require proof that the pattern of behavior has the **conscious purpose** or **conscious intention** of abuse.

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\* In the interest of honesty and disclosure, a personal background statement is available on request.

In lay terms, “with malice aforethought,” not just the effect. This is an incredibly high standard.

Passage of this bill would not be much help for actual victims of coercive control but could have disastrous consequences for those falsely accused of it.

Luckily, as the Association of Defense Lawyers points out in their testimony, these issues are already covered in Maine’s Protection from Abuse laws, and they give some cogent examples.

In sum, MPAC acknowledges the caring intention of this bill but we cannot support the adoption of yet another statute which is so vague that it virtually invites misuse and discrimination.

Thank you for your attention.

I welcome questions or feedback.