



## ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

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

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March 12, 2025

Senator Anne Bebe-Center - Chair  
Representative Tavis Hasenfus - Chair  
Committee on Criminal Justice and Public Safety  
100 State House Station Room 436  
Augusta, ME 04330

RE: LD 532 -- An Act to Protect Health Care Workers by Addressing Assaults in Health Care Setting

Dear Senator Bebe-Center, Representative Hasenfus, and Members of the Judiciary Committee:

MACDL opposes LD 532.

This bill would make a person a felon if they assaulted any health care worker or person employed or contracted by a health care entity licensed by the State. This bill is part of a never ending expansion to add more felony crimes on Maine's books. It is apparently not enough that a person who commits assault can go to jail for up to 364 days. It is apparently more appropriate to make these same people convicted felons and subject to prison sentences of up to 5 years.

This very idea is anathema to our criminal justice system and society as a whole. We do not need to have more people convicted of felonies and wearing that scarlet moniker for the rest of their lives. We certainly do not need it when there are already severe penalties for people who assault others. And yet this bill wants to make sure that a person who assaults a person in one particular place – a health care facility– is treated differently, and somehow worthy of being a felon.

I think we can all agree that those who are in a health care facility are not having their best days. Health care facilities are places where people go because they are having a medical or psychological situation that requires care. These people are often in unmanageable pain or suffering psychological trauma and everyone understands that when you are in this situation you are never in your best state of mind, and your behavior will sometimes present itself in a way that you would never imagine. Making a person's actions result in their being a convicted felon forever is a terrible idea. Do not allow this to happen by passing this bill.

If the goal of this bill is, as is often poorly said, to give "prosecutors more tools," then be assured that prosecutors have more than enough tools right now to deal with people who are acting inappropriately in health care facilities. No prosecutor can say that they "need this tool" to make sure health care workers will be safer, and no prosecutor can say that people are truly going to act any differently because (usually unbeknownst to the patient) they will be a convicted felon if they act out. It just is not so.

Bear in mind that this bill expands the number of people who are considered victims for purposes of felony crimes to every person who works at or is connected to a health care facility. They do not have to be providing care; they just have to have a health care facility connection. Why there should be different treatment for assault on a person in a health care facility, as opposed to a whole host of other potential victims 100 feet from the health care facility is not clear, probably because it does not make any sense.

Do not pass this bill.

Thank you for the opportunity to address this Committee on this important issue.

Sincerely,

/s/

Jeremy Pratt, Esq.  
President, MACDL