

February 24, 2021

# Maine PRISONER ADVOCACY Coalition



Greetings Senator Deschambault, Representative Warren and Honorable members of the Criminal Justice and Public Safety Committee.

My name is Jan Collins. I am assistant director of Maine Prisoner Advocacy Coalition. I am here to oppose **LD 369 An Act to Criminalize Recording an Incident in Progress but Failing to Report the Incident Immediately to the Appropriate Authority.**

MPAC's mission is to support Maine's incarcerated citizens, their families, and friends in their struggle with Maine's criminal justice system. Our purpose is to reduce Maine's use of incarceration by creating a criminal justice system that is ethical, humane, and restorative in nature.

MPAC believes LD 369 is well intentioned. The legislation is meant to help solve crime.

We believe however that there are many unanswered and possibly conflicting questions that would be raised by this bill.

1. If the person is filming a criminal act especially one that ends in bodily harm and possible death, are they also culpable as accessories. Would this proposed law conflict with the 5th amendment protection from self-incrimination?
2. What if the person committing the crime is a law enforcement official? As we have seen many times in the last year, this is not uncommon. Would there be a personal concern for retribution?
3. What if the person filming is unaware that the act they are filming is a criminal violation? Are they still culpable?

As a result of these questions and a general opposition to expanding the criminal code, Maine Prisoner Advocacy Coalition asks the committee to oppose the LD 369.

Thank-you for your consideration.

Sincerely,  
Jan M. Collins  
Maine Prisoner Advocacy Coalition  
janmariecollins57@gmail.com