

Maine PRISONER ADVOCACY Coalition



April 5, 2021

Senator Deschambault, Rep Warren and honorable members of the criminal justice and public safety committees. My names is Jan Collins and I am assistant director for Maine Prisoner Advocacy Coalition. I am here today to speak in opposition [L.D. 1070](#) An Act To Make Assault on a Person 50 Years of Age or Older with a Preexisting Serious Medical Condition a Class C Crime

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 is in sympathy with the sponsor's intent in submitting this bill. We are equally distressed whenever vulnerable members of our community are hurt in any way. However we have several concerns about this bill -

1. It is difficult to determine a person's age. How would the court establish that the person committing the crime knew the victim's age?
2. Likewise with medical conditions - many medical conditions are not visible to the observer. How would knowledge of a condition be established.
3. What does it mean to have a condition that "materially impairs" a person?
4. Research has shown that threat of punishment is rarely a deterrent to crime. Increasing the punishment likely will do very little to deter crime or protect vulnerable elders.

5. On principal, MPAC is opposed to expanding the criminal code. We already over incarcerate.

As an alternative to this bill, MPAC would support an expansion of community supports that protect elders in our community from exploitation, including regular check-ins by community volunteers and/or law enforcement; and health care checkins by emergency care professionals. We would much prefer to see crime averted or prevented and would like to see resources focused there.

Again, respecting the good intentions of the sponsor. We respectfully, oppose this bill.

Thank-you for your consideration.

Jan M. Collins

janmariecollins57@gmail.com

Jan Collins
East Wilton/ Maine Prisoner Advocacy Coalition

April 5, 2021

Senator Deschambault, Rep Warren and honorable members of the criminal justice and public safety committees. My names is Jan Collins and I am assistant director for Maine Prisoner Advocacy Coalition. I am here today to speak in opposition L.D. 1070 An Act To Make Assault on a Person 50 Years of Age or Older with a Preexisting Serious Medical Condition a Class C Crime

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 is in sympathy with the sponsor's intent in submitting this bill. We are equally distressed whenever vulnerable members of our community are hurt in any way. However we have several concerns about this bill -

It is difficult to determine a person's age. How would the court establish that the person committing the crime knew the victim's age?

Likewise with medical conditions - many medical conditions are not visible to the observer. How would knowledge of a condition be established.

What does it mean to have a condition that "materially impairs" a person?

Research has shown that threat of punishment is rarely a deterrent to crime. Increasing the punishment likely will do very little to deter crime or protect vulnerable elders.

On principal, MPAC is opposed to expanding the criminal code. We already over incarcerate.

As an alternative to this bill, MPAC would support an expansion of community supports that protect elders in our community from exploitation, including regular check-ins by community volunteers and/or law enforcement; and health care checkins by emergency care professionals. We would much prefer to see crime averted or prevented and would like to see resources focused there.

Again, respecting the good intentions of the sponsor. We respectfully, oppose this bill.

Thank-you for your consideration.

Jan M. Collins
janmariecollins57@gmail.com