

TESTIMONY OF MICHAEL KEBEDE, ESQ.

LD 1070 – Ought Not to Pass

**An Act To Make Assault on a Person 50 Years of Age or Older
with a Preexisting Serious Medical Condition a Class C Crime**

Joint Standing Committee on
Criminal Justice and Public Safety

April 5, 2021

Senator Deschambault, Representative Warren and distinguished members of the Joint Standing Committee on Criminal Justice and Public Safety, greetings. My name is Michael Kebede, and I am policy counsel for the American Civil Liberties Union of Maine, a statewide organization committed to advancing and preserving civil liberties guaranteed by the Maine and U.S. Constitutions. On behalf of our members, we urge the committee to reject LD 1070.

People with serious medical conditions, especially those who are older, are more vulnerable than the average member of the public. They generally require better healthcare, and sometimes housing and other accommodations. In recognition of this fact, the Americans with Disabilities Act requires public accommodations such as such as hotel rooms, restaurants and convention centers to be accessible to persons with physical disabilities.

However, the committee must reject this bill. The criminal legal system cannot solve the serious problem of elder abuse. We often stand before this committee and object to the creation of new crimes because creating felonies does not stop abhorrent behavior or address its underlying root causes. This bill is no different. Creating a Class C felony will not keep elderly people with serious medical conditions safe. There are other, better ways to keep elderly, highly vulnerable Mainers safe. Legislators should resource elder care and housing and

provide support for overburdened caregivers. Investing in these areas would prevent elder abuse rather than merely punish it after the fact.

We urge you to vote *ought not to pass*.