



MAINE ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

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

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Representative Charlotte Warren
Committee on Criminal Justice & Public Safety
100 State House Station Room 436
Augusta, ME 04330

RE: LD 1422 -- An Act to Strengthen Laws Protecting Members of Law Enforcement and Promote In-Classroom Drug Use Avoidance Education

Dear Senator Deschambault, Representative Warren and Members of the Criminal Justice and Public Safety Committee:

MACDL opposes Section 1 of LD 1422.

By attempting to extend the application of hate crime sentencing laws to a defendant who commits a crime against a law enforcement officer, this bill truly misses the mark when it comes to hate crimes. By expanding the application of hate crime sentencing laws to a person's particular job, this bill would open up just about every interest group to claim that the people they represent who perform various jobs should also be considered for this expansion. There are many highly deserving people in all kinds of occupations that do great work on behalf of others, including teachers, doctors and nurses, and social workers. No one could reasonably argue that these people are any less than deserving than law enforcement officers for special protection if this bill was to pass. And yet they should be fully allowed this same extra protection if this bills passes.

Everyone can certainly agree that law enforcement officers perform a very important function in our society. But hate crimes legislation has historically, and universally, been focused on a person's identity or situation that they did not necessarily choose. Race, color, religion, sex, ancestry, national origin, physical or mental disability, and sexual orientation, are all classifications that a person is born into and not a classification that is chosen by them. It is in part because of this reality that they are deserving of special protection when it comes to hate crimes legislation. The choice to become a law enforcement officer or a teacher or really anyone for that matter is just that—a choice. Hate crimes legislation was never meant to, nor should, apply to such individuals.

Thank you for the opportunity to address this issue.

Sincerely,

/s/ Walter McKee

Walter F. McKee

Chair, Legislative Committee