



129th MAINE LEGISLATURE

LD 18

LR 129(04)

An Act To Ensure Proper Prosecution of Crimes Involving Domestic Violence and Enhance Protection of Victims of Domestic Violence

Fiscal Note for Bill as Engrossed with:

C "A" (H-175)

Committee: Criminal Justice and Public Safety

Fiscal Note

Current biennium cost increase - General Fund
Minor revenue increase - General Fund
Minor revenue increase - Other Special Revenue Funds

Correctional and Judicial Impact Statements

The bill establishes new Class A and B crimes regarding domestic violence aggravated assault. These new crimes are variants of existing aggravated assault crimes which have the same class and no additional costs are anticipated from these provisions.

The bill also adds these newly created domestic violence aggravated assault crimes to the predicates that may elevate a Class D crime of domestic violence to a Class C crime. The Maine Commission on Indigent Legal Services has indicated that this could increase costs to the commission by minor amounts in future biennia. The elevation of a Class D crime to a Class C will increase costs to the Department of Corrections (DOC) since Class D sentences are served in county jails and Class C are longer and are served in state facilities. Each conviction elevated to a Class C costs DOC \$44,106 for a one year sentence.

Also, the bill establishes a new Class C crime for a person who violates a protection from abuse order for the third time. In fiscal year 2017-18 there were 797 charges for violations of protective orders brought in 720 cases, indicating that some cases include more than one violation. Again, each Class C conviction costs DOC \$44,106 for a one year sentence.

The additional workload associated with the minimal number of new cases filed does not require additional funding at this time for the courts. The collection of additional fine revenue will increase General Fund and dedicated revenue by minor amounts.