STATE OF MAINE

v.

JACOB J. LEBLANC

Submitted on Briefs April 14, 2020
Decided April 23, 2020

Panel: MEAD, GORMAN, JABAR, HUMPHREY, HORTON, and CONNORS, JJ.

MEMORANDUM OF DECISION

Jacob J. Leblanc appeals from a judgment of conviction for one count of domestic violence assault (Class D), 17-A M.R.S. § 207-A(1)(A) (2018), and one count of endangering the welfare of a child (Class D), 17-A M.R.S. § 554(1)(C) (2018), entered by the court (Hancock County, *Mallonee, J.*) following a one-day bench trial. Leblanc argues that the statute defining the crime of endangering the welfare of a minor is "unconstitutionally vague" and that the evidence was insufficient to support his conviction for each of the counts.

Contrary to Leblanc's contention, the statute, 17-A M.R.S. § 554(1)(C), "furnishes a sufficient standard to withstand constitutional attack, because a reasonable person of ordinary intelligence can understand what conduct is prohibited." *State v. Watson*, 2000 ME 77, ¶ 7, 751 A.2d 1004 (quoting *State v. Bachelder*, 565 A.2d 96, 97 (Me. 1989)); *see State v. Crossetti*, 628 A.2d 132, 134 (Me. 1993). Further, the evidence—when viewed in the light most favorable to the State—was sufficient to support the court's findings beyond a reasonable doubt that Leblanc intentionally caused offensive physical contact to a "family or household member," 17-A M.R.S. § 207-A(1)(A), and "recklessly

endanger[ed] the health, safety or welfare of [his] child by violating a duty of care or protection," 17-A M.R.S. § 554(1)(C). *See State v. Hodgdon*, 2017 ME 122, ¶ 26, 164 A.3d 959 ("[D]eterminations of the weight and credibility to be afforded the evidence are within the fact-finder's exclusive province." (quotation marks omitted)).

The entry is:

Judgment affirmed.

Zachary F. McNally, Esq., Hale & Hamlin, LLC, Ellsworth, for appellant Jacob J. Leblanc

Toff Toffolon, Esq., Office of the District Attorney, Ellsworth, for appellee State of Maine