



MAINE CHIEFS OF POLICE ASSOCIATION

P.O. Box 2431 • South Portland, Maine 04116-2431

Chief Edward J. Tolan (ret.), Executive Director, Tel: (207) 838-6583
email: mcopa@maine.rr.com Web site: www.mainechiefs.com

Testimony in Opposition to

LD 1771, An Act Regarding Speedy Trials

Joint Standing Committee on the Judiciary

February 28, 2024

Senator Carney, Representative Moonen, and honorable members of the Judiciary Committee. My name is Jason Moen, and I am the Chief of the Auburn Police Department, and the Acting President of the Maine Chiefs of Police Association. I am submitting testimony on behalf of the Maine Chiefs of Police Association in opposition to LD 1771.

The Mission of the Maine Chiefs of Police Association is to secure a closer official and personal relationship among Maine Police Officials; to secure a unity of action in law enforcement matters; to enhance the standards of police personnel, police training and police professionalism generally; to devise ways and means for equality of law enforcement throughout the state of Maine; to advance the prevention and detection of crime; to prescribe to the Law Enforcement Code of Ethics; and to promote the profession of law enforcement as an integral and dedicated force in today's society sworn to the protection of life and property.

LD 1771 establishes time limits for the commencement of a defendant's criminal trial and provides remedies for when the time limits have been violated. The prevailing wisdom is that the result of this bill will be prosecutors starting to dismiss cases for lower level crimes.

This bill would have a serious impact to victims. Many of the low level crimes that would end up being dismissed still have victims associated with them. Some of these lower level, but significant, crimes would include criminal mischief, theft, simple assault, and harassment.

The bill also does not include the ability for enlargement of time for the unavailability of witnesses. We understand that for domestic violence strangulation cases in Maine, there are exactly two expert witnesses. If they were unavailable to testify, the case could not be continued.

Additionally, Attorney Shira Burns of the Maine Prosecutors Asscotion told of a serious DV victim who was scheduled for surgery to repair an eardrum that was ruptured during the DV assault. Surgery was scheduled on the same day as the criminal trial. Unfortunately, under this law, no continuance would be allowed.

There are many other states with speedy trial laws, but Maine is unlike them in that we do not have a public defender's office. Having a public defender's office would help speed up the system.

The Maine Chiefs of Police Association believes that LD 1771 would be an erosion of public safety due to the inability to prosecute crimes impacting our communities and victimizing our residents.

On behalf of the Maine Chiefs of Police Association, we respectfully ask members to oppose the passage of LD 1771.