

CRIMINAL LAW ADVISORY COMMISSION

The Criminal Law Advisory Commission (CLAC) operates pursuant to Chapter 55 of the Criminal Code. 17-A M.R.S. §§ 1351 – 1357. CLAC consists of 9 members appointed by the Attorney General who serve without salary. At least two members must have knowledge of juvenile laws and all members must have knowledge of the criminal law or experience in the prosecution or defense of criminal cases. 17-A M.R.S. § 1352. The Senate and House chairs of the Legislature's Criminal Justice and Public Safety Committee serve as consultants to CLAC. The Chief Justice of the Supreme Judicial Court appoints four consultants to CLAC. 17-A M.R.S. § 1353. Currently, three of those consultants are active members of the Judiciary.

The Commission is an advisory body charged with reviewing the operation of the Criminal Code, the Bail Code, the Juvenile Code and other aspects of the criminal law and recommending changes to the Legislature as needed. CLAC does so in two ways. Pursuant to section 1354, CLAC may submit bills at the beginning of each session proposing amendments to existing law. During the session, CLAC meets regularly to review bills submitted to the Legislature that pertain to criminal justice matters and provides written comments and testimony to the committee of jurisdiction.

Despite a diverse membership of prosecutors, defense lawyers, and judges, CLAC members strive to reach consensus on recommendations to the Legislature. In addition, the Commission seeks to ensure that necessary statutory changes are consistent with the fundamental principles and structure of the Criminal Code and other statutes affecting criminal justice policy. Commission members appreciate the opportunity and look forward to working with the Legislature on criminal justice matters during the current session.