

# STATE OF MAINE

**KATHRYN SLATTERY**  
DISTRICT I

**JACQUELINE SARTORIS**  
DISTRICT II

**NEIL MCLEAN**  
DISTRICT III

**MAEGHAN MALONEY**  
DISTRICT IV



**R. CHRISTOPHER ALMY**  
DISTRICT V

**NATASHA IRVING**  
DISTRICT VI

**ROBERT GRANGER**  
DISTRICT VII

**TODD R. COLLINS**  
DISTRICT VIII

## **MAINE PROSECUTORS ASSOCIATION** **SHIRA BURNS, PROSECUTOR COORDINATOR**

### LD 206

**“An Act to Make Supplemental Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government a Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2023”**

**Before the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Judiciary**

**Public Hearing Date: January 25, 2023**

Good Morning Senator Rotundo, Representative Sachs and members of the Joint Standing Committee on Appropriations and Financial Affairs, Senator Carney, Representative Moonen and members of the Joint Standing Committee on Judiciary. My name is Shira Burns and I represent the Maine Prosecutors Association. I am here to testify in support of LD 206 in regard to the expansion of a public defender’s office and fully funded defense bar.

The criminal justice system only works if all three pillars of the system, prosecution, defense, and judiciary, have the resources needed to function in an ethical and efficient manner. If just one of those pillars are broken, the whole system fails. That is where we are today. We are currently facing a large backlog of criminal cases because of the pandemic, but that is compounded by cases being continued because of lack of defense counsel. At the dispositional conference, which use to be a common court appearance where cases were resolved, we now commonly hear from defense counsel that they haven’t had time to consider the plea offer, that they are unavailable for the dispositional conference itself because of scheduling conflicts, or they are so overwhelmed that they haven’t engaged with the defendant prior to the scheduled time. This is no fault to them, but a consequence of a system that is currently broken. Cumberland County District Attorney Jackie Sartoris analogized the criminal justice system to a washing machine filled with clothing, that has already been washed over and over again, and we just keep adding new laundry, running the machine again, and then only removing an article or two of clothing every cycle. The washing machine eventually is too burdened and comes to a standstill.

Defense attorneys are our essential partners in these cases. We will advocate vigorously, often in opposition with each other, but the vast majority of the time we collaborate very effectively in trying to secure a just outcome. We are absolutely lacking this collaboration in real time right now.

The Maine Prosecutors Association supports the expansion of a public defender’s office and the financial resources needed to have a fully funded defense bar. Thank you for your time and I would be happy to try and answer any questions you might have.

