



MAINE ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

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Senator Anne Beebe-Center, Chair
Representative Suzanne Salisbury
Committee on Criminal Justice & Public Safety
100 State House Station Room 436
Augusta, ME 04330

RE: LD 428 -- An Act to Reclassify Certain Offenses Under the Inland Fisheries and Wildlife Laws and Increase the Efficiency of the Criminal Justice System

Dear Senator Beebe-Center, Representative Salisbury, and Members of the Criminal Justice and Public Safety Committee:

MACDL supports LD 428.

This bill makes perfect sense insofar as it reduces a number of crimes to civil violations. Arguably, this bill could go even farther in eliminating a number of Inland Fisheries & Wildlife crimes from being crimes in the first place and causing a person to have a criminal record for offenses that, though some would consider particularly serious, in the big picture should really result in a civil violation.

The narrow list of crimes being reduced to civil violations provides a good example of offenses that are important to recognize, but are unnecessary to criminalize. I am highly confident that a person will give enough pause to whether they want to engage in the “unlawful practice of falconry” regardless of whether they are going to be fined or have a criminal conviction.

Part B of the bill is also important because it makes clear that unlawful searches and seizures must be applied to civil violations and not just crimes. Allowing it to be otherwise would allow law enforcement the free ability to search a person and take their things without any repercussions whatsoever because there would just be a civil case.

Thank you for the opportunity to address this issue.

Sincerely,

A handwritten signature in blue ink, appearing to read "Walter F. McKee". The signature is fluid and cursive, with a prominent initial "W" and "M".

Walter F. McKee
Chair, Legislative Committee