



MAINE CHIEFS OF POLICE ASSOCIATION

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Statement in Support to L.D. 428, An Act To Reclassify Certain Offenses Under The Inland Fisheries And Wildlife Laws And Increase The Efficiency Of The Criminal Justice System

**Submitted by Chief Charles Rumsey
March 6, 2023**

Senator Beebe-Center, Representative Salisbury and distinguished Members of the Joint Standing Committee on Criminal Justice and Public Safety, my name is Charles Rumsey, and I am the Chief of the Cumberland Police Department. I am submitting testimony on behalf of the Maine Chiefs of Police Association in Support of LD 428.

The Mission of the Maine Chiefs of Police 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.

According to the bill summary,

Part A amends certain laws regarding inland fisheries and wildlife in the Maine Revised Statutes, Title 12, Part 13, limiting the sentences for certain crimes to fines and changing some crimes to civil violations. Crimes reduced to civil violations include junior hunting without a license, unlawful practice of falconry, unlawful hunting of migratory birds with a shotgun, allowing duck decoys or a stationary blind to remain in the water in Merrymeeting Bay beyond the legal hours and unlawful hunting of bear with dogs or with bait; certain violations of field trials, training dogs and opportunity to hunt laws; and certain violations of live smelt and baitfish laws.

Part B amends the Maine Criminal Code provision governing civil violations to explicitly provide that evidence obtained pursuant to an unlawful search and seizure is not admissible in any civil violation proceeding, not just those arising from cannabis possession by a person under 21 years of age or possession of butyl nitrite or isobutyl nitrite, and to permit a law enforcement officer who has probable cause to believe that

a violation of the law has taken place or is taking place to make application for a search warrant.

Part C establishes an effective date of January 1, 2024 for Parts A and B.

We support Part A of LD 428, which reclassifies these incidents from criminal to civil penalties because criminal convictions have lasting consequences that effect all aspects of a person's life and also often their family lives. A criminal conviction should only be used as a deterrent when it is absolutely necessary to hold the person accountable and is proportional to their offense. The civil penalties proposed in LD 428 would ensure a proportional level of accountability and would still allow the individual an opportunity for a hearing to contest charges. We also support Part B because it is a natural step associated with decriminalizing these laws.

The Association recognizes that the criminal justice system is completely overwhelmed. The backlog is astonishing, and we believe that we should advocate for all options that would decrease this backlog. LD 428 would simplify the process and would make more a much more efficient resolution.

For these reasons, we hope that you will vote in favor of LD 428. And, on behalf of the Maine Chiefs of Police Association, we want to thank you for your work on this Committee.