



## MAINE ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

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April 6, 2023

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Senator Anne Carney  
Representative Matt Moonen  
Committee on Judiciary  
100 State House Station, Room 438  
Augusta, ME 04333

RE: LD 1449 – An Act to Amend the Laws Regarding Violations of  
Conditions of Release

Dear Senator Carney, Representative Moonen, and Members of the Committee on  
Judiciary,

MACDL supports LD 1449.

As it stands now, if you are on bail for a felony offense, even if you commit the most  
minor misdemeanor crimes, then you are subject to a new felony level charge for  
violation of conditions of release.

Certainly, violation of conditions of release is a serious crime, but the fact that  
someone is on bail for a felony crime is really irrelevant to the issue of whether  
committing a minor new crime while on bail should subject a person to full-blown  
felony consequences.

This law needs to be changed. Fairness dictates that the punishment should meet the  
crime, and the punishment here for a Class E misdemeanor being elevated to a felony  
level crime does not in fact fit the crime.

Thank you for the opportunity to address this issue.

Sincerely,

Walter F. McKee  
Chair, Legislative Committee