



MAINE ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

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

RE: LD 609 "An Act to Ensure an Incarcerated Individual's Right to Make Free Telephone Calls Protected by Attorney-Client Privilege."

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

MACDL supports LD 609.

LD 609 guarantees two essential and seemingly simple parts of any person's criminal defense when he/she is incarcerated: the ability to speak with an attorney over a (1) confidential phone line (2) without expense to the accused.

The only thing more daunting to a person than defending him/herself from criminal charges brought by the government is to do so from jail or prison. A person is literally "cut off" from the outside world when they are arrested. Visiting times are limited and many families cannot afford to travel to visit in the first place.

The initial point of someone's arrest is a critical point in any criminal case. The sooner someone can be released from custody the more likely they can find support in the community for any underlying mental health or drug conditions and the better they can keep their professional and personal lives intact. Time is of the essence and there is no more important time for someone to be able to speak to an attorney confidentially and without having to wait for family members to add money to an account, which is often a difficult and time-consuming process (for those families that can afford to do so).

Finally, many people who are unable to make bail and defend themselves from outside of jail are unable to do so because they lack the funds to post bail or are facing truly serious and potentially life-changing charges. A person's defense should not be limited based on his/her financial means or the severity of the allegations against him/her.

LD 609 recognizes these important difficulties facing incarcerated Mainers and seeks to level the playing field for everyone accused of crimes in Maine.

For these reasons, MACDL supports LD 609.

Sincerely,

/s/ Matthew Morgan

Matthew D. Morgan, Esq.
MACDL Vice President