



MAINE ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

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February 4, 2025

Senator Anne Beebe-Center, Chair
Representative Travis Hasenfus, Chair
Committee on Criminal Justice and Public Safety
100 State House Station, Room 436
Augusta, ME 04330

RE: LD 268 – An Act to Restore Sentencing Discretion to the Judiciary

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

MACDL supports LD 268, *An Act to Restore Sentencing Discretion to the Judiciary by Removing Mandatory Minimum Sentences of Incarceration.*

LD 268 is an important step toward ensuring a fair and just criminal justice system in Maine by allowing judges to consider the unique circumstances of each case rather than being bound by rigid sentencing laws.

Mandatory minimum sentences are inconsistent with our enumerated sentencing purposes, as outlined in Title 17-A §1501, which encourage judges to “differentiate among persons with a view to just individualization of sentences” and “minimize correctional experiences that serve to promote further criminality,” to name a few.

Mandatory minimum sentences contribute to prison overcrowding, and increase costs to taxpayers without clear benefits to public safety. By eliminating mandatory minimum sentences, LD 268 allows our judges to consider individualized sentences and focus on rehabilitation rather than punitive measures alone, further advancing societal goals and reducing recidivism.

Judicial discretion is one of the cornerstones of Maine’s judicial system. It allows judges to impose sentences that truly serve justice, rather than enforcing a one-size-fits-all approach.

For these reasons, MACDL urges you and your colleagues to support LD 268 and help ensure that Maine’s sentencing laws truly reflect fairness, accountability, and rehabilitation.

Sincerely,

Eric S. Thistle, Esq.
MACDL Member