

CLAC MEMORANDUM/TESTIMONY NFNA
LD 421, An Act to Eliminate Barriers to Reentry into the Community After Incarceration by
Repealing Certain Driver's License Suspension Provisions

TO: Senator Anne Beebe-Center
Representative Tavis Hasenfus
Joint Standing Committee on Criminal Justice and Public Safety

FR: Criminal Law Advisory Commission (CLAC)
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RE: LD 421, An Act to Eliminate Barriers to Reentry into the Community After Incarceration by
Repealing Certain Driver's License Suspension Provisions

DA: April 7, 2025

The Criminal Law Advisory Commission (CLAC)* respectfully submits the following testimony neither for nor against LD 421.

According to information CLAC requested and received from the Court, drivers' license suspensions are rarely imposed in connection with convictions of the crimes identified in the LD. CLAC defers to the Court to provide the data directly to the Committee, but our understanding is that fewer than a dozen suspensions were imposed in a 20-year period, on thousands of convictions. Thus license suspension does not appear to present an impediment for the vast majority of persons convicted of trafficking crimes. The policy decision for the Committee and the Legislature is whether to repeal a little-used provision to eliminate the impediment identified by the bill, or to retain it for the limited circumstances where it may be an appropriate sanction.

*CLAC is an advisory body established by the Legislature. 17-A M.R.S. §§ 1351-1357. It consists of 9 members appointed by the Attorney General. Our current members include defense attorneys, prosecutors, Maine Bar Counsel, and a retired practitioner with experience as defense counsel, prosecutor and in court administration. In addition, three sitting judges and one retired practitioner, appointed by the Chief Justice of the Supreme Judicial Court, and, by statute, the Co-Chairs of the Legislature's Committee on Criminal Justice and Public Safety, serve as consultants. The Supreme Judicial Court's Criminal Process Manager serves as liaison from the Court to CLAC. CLAC advises the Legislature on matters relating to crimes in the Criminal Code and in other Titles, the Bail and Juvenile Codes, and with respect to other statutes related to criminal justice processes.