

To: Senator Anne Carney
Representative Amy Kuhn
Joint Standing Committee on Judiciary

From: Frayla Tarpinian, District Defender, Capital Region Public Defender's Office, Maine Commission on Public Defense Services

RE: LD1189 "An Act to Prohibit Arrest and Detention for Civil Violations and Require an Attorney for the State to Determine Whether to Charge a Class E Offense as a Civil Violation"

Date: April 8, 2025

The Maine Commission on Public Defense Services submits the following testimony in support of LD 1189.

This bill would provide prosecutors with an additional tool to address the large number of criminal cases submitted to their offices by using their discretion in how to hold individuals accountable for their conduct.

Currently, there are thousands of criminal cases pending in our courts and more cases are submitted to prosecutors' offices daily. Creating additional paths for prosecutors to allocate their resources, while still holding people accountable is an important step that will help address the backlog of cases and streamline some case filings moving forward. This path also provides an alternative to a criminal conviction for these matters and would rely on a civil violation and a fine as an enforcement mechanism, which is a well-established and reliable method to hold people accountable. This decision would be made by individuals hired for their judgment and who appreciate how to use our system to enforce the laws that exist. Finally, as you are aware Public Defense Services expends approximately 2 million dollars every year on defense of class "E" cases. This bill has the potential to save some of those costs.

We appreciate your consideration of this bill and urge you to vote ought to pass on this important legislation.