

STATE OF MAINE

KATHRYN SLATTERY
DISTRICT I

JACQUELINE SARTORIS
DISTRICT II

NEIL MCLEAN
DISTRICT III

MAEGHAN MALONEY
DISTRICT IV



R. CHRISTOPHER ALMY
DISTRICT V

NATASHA IRVING
DISTRICT VI

ROBERT GRANGER
DISTRICT VII

TODD R. COLLINS
DISTRICT VIII

MAINE PROSECUTORS ASSOCIATION SHIRA BURNS, EXECUTIVE DIRECTOR

“An Act to Expand the Supervised Community Confinement Program”
Before the Joint Standing Committee on Criminal Justice and Public Safety
Public Hearing Date: April 23, 2025
Testimony in Opposition of LD 648

Senator Beebe-Center, Representative Hasenfus and members of the Joint Standing Committee on Criminal Justice and Public Safety. My name is Shira Burns and I represent the Maine Prosecutors Association. I submit this testimony in opposition of LD 648.

Currently, there is a bill in front of the Joint Standing Committee on Judiciary that is nearly identical to this bill.¹ The sponsor submitted an amendment before the public hearing that occurred on March 20, 2025 and a work session was held on April 9, 2025. At the work session, the committee asked for additional information from Department of Corrections regarding the recidivism rate for people that successfully completed Supervised Community Confinement Program (SCCP) compared to other individuals that were released from custody who did not participate in the program. The next work session has not been scheduled.

This bill, along with LD 1113, will allow a prisoner who has been sentenced for more than 15 years of imprisonment, who at the time they committed the crime was under the age of 26 year old, eligible for release on SCCP after 15 years. This would include cases that the State plead and proved the defendant is a repeat sexual assault offender² or has committed the crime of gross sexual assault, even on a child less than 12. This bill will disproportionately favor individuals who have received the longest sentences. For example, if a defendant received a 16 year sentence, pursuant to this language, the defendant will be eligible to be released on SCCP with one year left on their sentence. However, a person that has been sentenced to 50 years in prison, will also be eligible after 15 years and having 35 years left on their sentence. This bill will also apply to life sentences.³ SCCP is not a one size fits all program.

¹ LD 1113 An Act Regarding Fairness in Sentencing for Persons Under 26 Years of Age.

² 17-A M.R.S. § 253-A(1)

³ Please see attached information the Office of the Attorney General compiled in response to an information request on another bill in the Joint Standing Committee on Judiciary. The defendants that committed their murders before the age of 26 will be eligible for release on SCCP after 15 years despite there being a mandatory minimum sentence of 25 years on homicide.

The Maine Prosecutors Association respectfully requests that before this committee looks to expand the program, stakeholders convene to understand what data is currently available regarding the program and what data still needs to be gathered. It is worth the due diligence to understand the Department of Corrections' meaning of "success" on SCCP and how that plays out in our communities. This due diligence is absolutely necessary as the stakes are very high for the safety of victims and our communities.

For all these reasons, the Maine Prosecutors Association in opposition to LD 648.

MEMORANDUM

TO: Members of the Joint Standing Committee on Judiciary

From: Lisa Marchese, Deputy Attorney General

Re: Representative Lee's request for information on life sentences for LD 1335

Date: April 9, 2025

During my testimony on LD 1335, An Act to Prohibit Life Sentences, Representative Lee requested that I provide the number of people sentenced to life for murder in the past 5 - 10 years as well as the number of times the State has asked for life and the defendant has received a sentence of less than life. He also asked for a brief factual overview. The following information dates back to 2016.

2025 – no life sentences imposed nor asked for to date

2024 – Life Sentences imposed:

Joseph Eaton, 34, – After shooting and killing 4 people, including his parents, Eaton started shooting at cars on I-295 resulting in injury to several other people.

Randal Hennessey, 30, – Shot and killed his landlord in the presence of the victim's pregnant girlfriend in York County. Court found the shooting to be a premeditated execution, and the defendant had a lengthy criminal history with extreme victim impact.

Aaron Aldrich, 45, – Shot and killed 2 people in Poland, including a juvenile. The murders were premeditated and for monetary gain.

2024 - Life requested by the State but not imposed:

Kallie Brackett, 38, – convicted of murder in the stabbing death of her friend. The murder was accompanied by extreme cruelty (484 stab wounds) and monetary gain. Sentenced to 55 years.

2023 – Life Sentence imposed:

David Barnett, 34, – shot and killed 2 people in Auburn, Maine. Children were present at the scene. Defendant pled guilty to murder and agreed to a life sentence.

2022- Life Sentence imposed

Glenn Brown, 64, – pled nolo contendere to shooting and killing 2 people in Waldo, Maine. The murders were pre-meditated and there was an intent to cause multiple deaths.

Thomas Bonfanti, 63, – shot and killed 3 people in Washington County. He shot a fourth woman who survived. The court found pre-meditation and the intent to cause multiple deaths when sentencing Bonfanti to life.

Bobby Nightingale, 38, – shot and killed 2 people in Aroostook County. The court found pre-meditation and the intent to cause multiple deaths. Nightingale had a significant criminal history and was also convicted of criminal threatening and possession of a firearm by a felon.

2021- Life Sentence imposed:

Mark Penley, 49, shot and killed 2 people in Oxford County. The Court found pre-mediation, the intent to kill multiple victims, children were present at the scene and signs of domestic violence.

2020- Life Sentence imposed:

John De St. Croix, 25, - De St. Croix locked two people in the cargo area of a box truck and set the truck on fire in Bangor. He watched the truck burn with the victims inside screaming for help. The Court found premeditation-in-fact and extreme cruelty.

Christopher Murray, 38, - Murray and co-defendant, Locklear, shot two people – one person died and the other suffered traumatic brain injury from two gunshots to the head in Penobscot County. The court found premeditation, commission of a homicide during the course of a robbery and unusual cruelty in sentencing Murray to life. (Co-defendant to Locklear below.)

2020 - Life requested by the State but not imposed:

Sharon Carrillo, 33, - was found guilty of depraved indifference murder in the beating death of her 10-year-old daughter in Waldo County. The medical examiner determined the cause of death to be battered child syndrome with recent subdural hemorrhage, a lacerated liver with multiple old and new contusions of her head with brain swelling, blunt injuries of her torso with old rib fractures, a lacerated liver and patterned imprints of impacts with either a belt, hand or foot, infected sores on both knees and on the top of her head. The Court imposed 48 years. (co-defendant to Julio Carrillo below)

2019- Life Sentence imposed:

Tony Locklear, 43, - Locklear and co-defendant Christopher Murray shot two people – one person died and the other had traumatic brain injury from the two gunshots to the head in Penobscot County. The court found premeditation, commission of a murder during the course of a robbery and unusual cruelty. (Co-defendant to Murray above.)

Albert Flick, 76, – In 2018, Flick stabbed a woman at least 11 times in Lewiston in front of her children. He had been convicted of the murder of his wife in 1970. He was later released and charged with a domestic violence related assault and criminal threatening. At his sentencing, a judge said he would ‘age out’ of committing violence against women yet committed the 2018 murder against a woman in Lewiston.

John Williams, 29, - executed Somerset County Cpl. Eugene Cole because Cole was about to arrest Williams, and he did not want to return to jail.

2019 -Life requested by the State but not imposed:

Julio Carrillo, 51, - Carillo pled guilty to the beating death of his 10-year-old stepdaughter in Waldo County. The medical examiner determined the cause of death to be battered child syndrome with recent subdural hemorrhage, a lacerated liver with multiple old and new contusions of her head with brain swelling, blunt injuries of her torso with old rib fractures, a lacerated liver and patterned imprints of impacts with either a belt, hand or foot, infected sores on both knees and on the top of her head. The Court imposed 55 years. (co-defendant to Sharon Carrillo above)

Shawna Gatto, 43, – Gatto convicted of depraved indifference murder for the death of the four-year-old granddaughter of her fiancée in Lincoln County. On autopsy, the medical examiner found 15 injuries to the victim's head and face including serious bruises and deep lacerations, torn intestines and a lacerated pancreas. She had numerous nonfatal injuries. The Court imposed 50 years.

Jalique Keene, 21, – Keene convicted of murder and gross sexual assault in Bar Harbor. The victim suffered blunt force trauma throughout her body, to her head and was strangled. She was anally raped. Keene received 58 years for the murder and 20 years concurrent on the gross sexual assault.

2018- Life Sentence imposed:

David Marble, 29,- Found guilty of murder in the shooting death of two people, one of whom was pregnant in Kennebec County. The murders were drug related. Court found there was pre-meditation, intent to kill more than one person and extreme cruelty on one of the victims because she survived the first time he shot her and when he returned and found her alive, he shot her again.

2018 -Life requested by the State but not imposed:

Robert Hansley- 27, Ferguson and Hansley, who were from out of state and in Bangor for the purpose of trafficking drugs entered the living room of the victims. Both pulled out firearms and pointed them at the victims. Hansley then fired his weapon multiple times killing one victim and seriously injuring a second victim. The Court imposed a 45-year sentence. (co-defendant to Ferguson below)

2017- Life Sentence imposed:

Keith Coleman, 27,- found guilty of murder in the asphyxiation by ligature strangulation of 3 victims - 2 children and a former girlfriend as well as one count of gross sexual assault against the 8-year-old girl in Penobscot County. In imposing a life sentence, the Court found multiple deaths, a murder committed in the presence of a child, a murder accompanied by sexual assault and the domestic violence nature of the murders.

Matthew Davis, 32,- found guilty of 2 murders, 4 counts of arson, 2 counts of theft and one count of aggravated criminal mischief in Washinton County. The Court found multiple deaths from multiple gunshot wounds. The Court found these murders to be 'of the most serious nature'.

Anthony Lord, 35,- pled guilty to 2 murders in Aroostook and Penobscot Counties following a crime spree in both counties. The Court found that Lord intended multiple deaths, and the deaths occurred during a criminal rampage that included numerous acts of violence by a felon who committed arson, stole motor vehicles and guns.

2017 Life requested by the State but not imposed:

Robert Burton, 38, – found guilty of murder of his ex-girlfriend in Piscataquis County. He broke into her residence and shot her. Her 12-year-old daughter who had been sleeping found her dead. He attacked the victim with duct tape and a knife. When she tried to shoot him in self-defense, he took the gun and shot her. He was sentenced to 55 years.

Reginald Dobbins, 18, -found guilty of bludgeoning and stabbing a 61-year-old man in Houlton. The Court found there was a plan to commit the murder, extreme cruelty and pecuniary motivation and sentenced him to 65 years because of his youth.

2016 - Life Sentence imposed:

Roland Cummings, 44, - found guilty of stabbing a 92-year-old man to death during a burglary of the victim's home in Kennebec County. The victim was stabbed 16 times. The State asked for 55 years, and the Court imposed a life sentence citing to extreme cruelty, pecuniary gain and the age and frailty of the victim.

James Pak, 74, - pled guilty in York County after walking into his tenants' apartment where he shot and killed two teenagers and critically injured an adult woman. He was in his 70's when he was sentenced to life.

Zachary Mailloux, 21, pled guilty to murder and kidnapping in Penobscot County in the death of his estranged girlfriend. The victim was found strangled, naked and bound by duct tape on the floor of the kitchen. Mailloux posted a nude photograph of the victim on Facebook. Mailloux asked the Court to sentence him to life.

Jesse Marquis, 38, found guilty of murder in the shooting and stabbing death in Aroostook County of his girlfriend. The Court found pre-meditation, extreme cruelty and profound victim impact. The victim's young children were in the house at the time of the murder.

Michael McNaughton, 25, found guilty of murder and hindering apprehension in the beating, stabbing and strangulation death of the victim. He nailed a screwdriver in the back of the victim's neck paralyzing him.

2016- Life requested by the State but not imposed:

Thomas Ferguson, 37, Ferguson and Hansley, who were from out of state and in Bangor for the purpose of trafficking drugs entered the living room of the victims. Both pulled out firearms and pointed them at the victims. Hansley then fired his weapon multiple times killing one victim and seriously injuring a second victim. Ferguson had a significant criminal history. The Court imposed a 50-year sentence and 25 years on the elevated aggravated assault. (co-defendant to Hansley above)