

City of Brewer
Testimony in Support of L.D. 1536, “An Act to Amend the Laws Governing Bail”

Presented by: Michele LaBree Daniels, Mayor, City of Brewer

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Before the Joint Standing Committee on Criminal Justice and Public Safety

Senator Pinny Beebe-Center, Representative Travis Rock Hasenfus, and Distinguished Members of the Committee:

Good afternoon. I am here today to voice my strong support for L.D. 1536, “An Act to Amend the Laws Governing Bail.” This bill is an essential step toward reversing the unintended and harmful consequences of the 2021 changes to Maine’s Bail Code. These changes, part of a national movement for bail reform, have proven to weaken judicial discretion, embolden repeat offenders, and reduce public safety across our communities. Across the country, we have witnessed the devastating effects of bail reforms modeled on social justice platforms that emphasize cashless bail and require the least restrictive conditions of release. While these changes may have been well-intentioned, they have produced troubling results. In New York, for example, bail reform led to a revolving door of justice in which habitual offenders were repeatedly released and reoffended without consequence. We are now seeing similar patterns in Maine—offenders with long criminal histories are being arrested again and again, while judges lack the tools to respond appropriately.

The 2021 amendments to the Maine Bail Code were influenced by the same national reform narratives, which prioritize decriminalization and reduced enforcement over accountability and public safety. This approach has resulted in a diminished ability for law enforcement and the courts to respond to chronic, low-level criminal activity that nonetheless erodes community well-being and endangers residents. Defendants with double-digit bail sets are cycling through the system, knowing that they can often be released before officers have completed booking. These are not anecdotal cases—they are occurring regularly in cities like Brewer and beyond.

L.D. 1536 restores a much-needed balance. It reaffirms that bail is a constitutional right—but not an absolute one. It ensures that judicial officers can once again exercise discretion based on an individual’s risk to public safety, history of noncompliance, and likelihood of reoffending. The bill enables courts to tailor bail decisions to the circumstances of the individual, rather than applying a blanket policy that too often favors the offender at the expense of victims and the broader public.

This legislation also responds to the operational realities faced by law enforcement. Officers must sometimes arrest individuals for misdemeanor crimes not because they want to, but because a summons is not sufficient to deter immediate, ongoing violations. The 2021 changes have eroded the authority of officers and the courts to intervene meaningfully in such cases. L.D. 1536 provides a course correction, giving back the tools that were lost and reinforcing the role of the judiciary in maintaining order.

In supporting this bill, we are not advocating for the indiscriminate use of cash bail or the unnecessary incarceration of low-risk individuals. We are advocating for judicial discretion, community safety, and a justice system that works for everyone—not just those who know how to manipulate its gaps. Judges must be allowed to impose meaningful bail conditions and revoke bail when violations occur, regardless of the charge level.

In closing, I respectfully urge this Committee to support the passage of L.D. 1536. This bill restores tools that are critical to the integrity of our justice system and reaffirms our commitment to public safety, judicial accountability, and the fair administration of justice.

Thank you for your time and consideration.