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April 28, 2025

Senator Anne Beebe-Center, Chair
Representative Tavis Hasenfus, Chair
Committee on Criminal Justice and Public Safety
5 State House Station, Room 436
Augusta, ME 04333

RE: LD 1684 “An Act to Exclude from Eligibility for a Community Confinement Monitoring Program a Person Serving a Sentence for Certain Domestic Violence Crimes”

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

MACDL **opposes** LD 1684.

LD 1684 seeks to exclude anyone convicted of Domestic Violence Aggravated Assault, Domestic Violence Elevated Aggravated Assault, and Domestic Violence Elevated Aggravated Assault on a Pregnant Person from participating in supervised community confinement programs.

Supervised community confinement programs are administered by county sheriffs and governed by the rules found at 30-A M.R.S. §1659-A. These rules already include significant restrictions on the release of persons convicted of domestic violence crimes. In particular, county sheriffs are required to determine that someone convicted of domestic violence crimes will not pose a risk to the safety of others in the community by reviewing the person’s criminal history, available ODARA results and similar “risk assessments,” and by contacting the victim and inquiring about any concerns she/he may have about release on community confinement. These special requirements are on top of the other requirements, including moderate or minimum validated security classifications.

It is also critical to bear in mind that participation in these county-run programs means that the individual received a sentence of 9 months or fewer.

In short, if anyone with a conviction identified in LD 1684 is eligible for community confinement, then he or she is not a risk to the community and barring him or her from participating in the community confinement program serves no meaningful criminal justice purpose but instead frustrates and delays rehabilitation and community reintegration.

For all these reasons MACDL opposes LD 1684.

Sincerely,

/s/ Matthew D. Morgan
Matthew D. Morgan, Esq.
MACDL President Elect