



# MAINE ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

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April 24, 2025

Senator Anne Beebe-Center, Chair  
Representative Travis Hasenfus, Chair  
Committee on Criminal Justice and Public Safety  
100 State House Station, Room 436  
Augusta, ME 04330

### **Re: LD 1000 – An Act To Require Correctional Facilities and Substance Use Disorder Treatment Facilities To Release Prisoners and Patients To A Responsible Adult**

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

MACDL opposes LD 1000.

Providing support to individuals reentering society after incarceration or substance use disorder treatment is incredibly important; however, the way in which this bill proposes to support reintegration is unworkable, counterproductive, and risks exacerbating the very problems it seeks to solve.

First, one of the stated purposes of incarceration and substance use disorder treatment is to rehabilitate the individual so they can reenter society safely and independently. If the correctional or treatment process is successful, then the individual should be capable of making decisions about where to go and how to continue their recovery or reintegration. Mandating the involvement of a “responsible adult” implies that the individual remains incapable of self-support. This undercuts the notion of rehabilitation and ignores the dignity and autonomy of the person being released.

Many individuals exiting incarceration or treatment simply do not have access to a “responsible adult.” Some are estranged from family, others have lost social supports through the criminal justice or treatment process itself. Many people affected by addiction or incarceration come from situations where stable, supportive adults are less common. Conditioning their release on the availability of a third-party risks prolonging detention for people who have already served their sentence or completed treatment. Furthermore, there are many situations where an individual’s only available support is legally off-limits. Conditions of bail, probation, or protection from abuse orders may bar contact with family members or friends, even if those are the only people the individual might otherwise rely on. LD 1000 places those individuals in an impossible position—either violate the law by contacting someone they’re prohibited from seeing or remain incarcerated or institutionalized because they lack an approved chaperone.

Additionally, the logistics of implementing this bill are deeply problematic. It is unclear who will bear the responsibility of identifying and vetting the “responsible adult” for each person. Will correctional officers or treatment staff be required to assess the suitability of third parties? What happens when no such person can be found? Will individuals be forced to remain detained, and if so, for how long? LD 1000 creates more questions than answers, and without significant new funding and infrastructure, it risks placing an unworkable burden on already strained facilities and personnel.

This bill also fails to consider constitutional implications. Once an individual has completed their sentence or been discharged from treatment, they have a legal right to liberty. Conditioning that liberty on the presence or availability of another person may amount to an unconstitutional deprivation of due process.

Rather than mandate inflexible and unrealistic requirements, we should invest in programs that offer choice, empowerment, and long-term stability. Effective reentry support already exists in other forms. Transitional housing, community-based case management, peer recovery coaches, and supervised release programs provide structured, voluntary support without infringing on individual liberty. LD 1000 replaces rehabilitation with paternalism, undermining the goals of our correctional and treatment systems.

For these reasons MACDL urges the Committee to vote “Ought Not to Pass.”

Sincerely,

*/s/ Eric S. Thistle*  
Eric S. Thistle, Esq.  
MACDL Member