

Janet T. Mills
Governor

Sara Gagné-Holmes
Commissioner



Maine Department of Health and Human Services
State Forensic Service
11 State House Station
77 Sewall Street, Suite 4
Augusta, Maine 04333-0011
Tel.: (207) 624-4648; Fax: (207) 287-6209
TTY: Dial 711 (Maine Relay)

5/12/2025

Senator Beebe-Center, Chair
Representative Hasenfus, Chair
Members, Joint Standing Committee on Criminal Justice and Public Safety
100 State House Station
Augusta, ME 04333-0100

Re: LD 428 – *An Act Regarding the State Forensic Service*

Senator Beebe-Center, Representative Hasenfus and members of the Joint Standing Committee on Criminal Justice and Public Safety, thank you for the opportunity to provide information in opposition to LD 428, *An Act Regarding the State Forensic Service*.

As amended, LD 428 would require any reports produced by the State Forensic Service under Title 15, sections 101-C and 101-D to be sent by electronic means and regular mail, and the court to also provide the defendant, the defendant's attorney, and the attorney for the State the same records by both electronic and regular mail. Further, any report sent by regular mail under these sections must be sent by electronic means on the same day the record is mailed.

The State Forensic Service understands the time sensitive nature of criminal court proceedings, and the important role its reports play in the time it can take for some cases to proceed. We strive for efficiency in our internal processes, and in our communications with the Court. However, this bill as currently written would require the State Forensic Service to submit reports twice, and to submit them electronically to courts that do not yet have the capacity to manage such electronic submissions. At least two jurisdictions have specifically requested State Forensic Service *not* submit reports electronically unless the judge or clerk specifically requests an electronic submission on a particular case for a specific reason. In contrast, there is one jurisdiction that has specifically requested electronic submission of State Forensic Service reports, and we collaboratively developed a pilot project (which began in 2024) to do so for that one jurisdiction.

The State Forensic Service recommends waiting until jurisdictions have the capacity to manage electronic submission of reports before proceeding to do so. As we have seen, this process can be achieved collaboratively and informally. Transitioning to statewide electronic submission of reports would likely also be aided by further progress in the Maine Judicial Branch's implementation of their electronic case management system.

Please feel free to contact me if you have any questions during your deliberation of this bill.

Sincerely,

Sarah Squirrell

Sarah Squirrell

Director

Office of Behavioral Health

Maine Department of Health and Human Services