



MAINE ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

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January 12, 2026

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

RE: LD 1916: An Act to Automatically Seal Criminal History Record Information for Class D and Class E Crimes Relating to Marijuana Possession and Cultivation.

LD 1917: An Act to Allow the Sealing of Criminal History Record Information Related to Convictions for Conduct That Is No Longer a Crime in the State.

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

MACDL supports LD 1916 and 1917 and states as follows.

The Legislature legalized possession of certain quantities of marijuana in 2017. *See* 28-B M.R.S. § 101, *et seq.* The Legislature passed a criminal sealing law in 2021. *See* 15 M.R.S. § 2261, *et seq.*

LD 1916 and 1917 identify former criminal offenses for marijuana possession and/or cultivation that were illegal prior to 2017 and create a process for automatic sealing (LD 1916) or petition-based sealing (LD 1917) of these formerly illegal offenses. These are straightforward bills that recognize the former prosecution of minor marijuana offenses was wrong and seek to undo the damage of those convictions by sealing them. MACDL supports both bills, but recommends LD 1916

over 1917 because the automatic sealing of convictions results in the greatest impact and removes the barrier of having to hire an attorney to seek sealing. Although the automatic sealing of these convictions will result in cost for SBI and/or the Judicial Branch in identifying and sealing convictions, these expenses are worthwhile to undo these wrongful convictions.

For all these reasons, MACDL urges this committee to vote LD 1916 and 1917 ought to pass.

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