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**MAINE PROSECUTORS ASSOCIATION
SHIRA BURNS, EXECUTIVE DIRECTOR**

“An Act to Allow the Sealing of Criminal History Record Information Related to Convictions that is No Longer a Crime in the State”

Before the Joint Standing Committee on Criminal Justice and Public Safety

Public Hearing Date: January 12, 2026

Testimony Neither For Nor Against in LD 1917

Senator Beebe-Center, Representative Hasenfus and members of the Joint Standing Committee on Criminal Justice and Public Safety. My name is Shira Burns and I represent the Maine Prosecutors Association. I am submitting this testimony neither for nor against LD 1917.

The Maine Prosecutors Association does not take a position on the policy of this bill. However, the language in section 1 of the bill does need to be clarified. Currently it states “a conviction for conduct that subsequent to the conviction is no longer a crime.” Many crimes are no longer a crime even though the conduct that established the original crime is still criminal. For instance, we used to have the crime of rape. Rape is no longer a crime in Maine, but the conduct is still illegal pursuant to our Gross Sexual Assault statute. The language needs to be amended to clarify the conduct is no longer a crime or illegal. An example would be ‘a conviction for conduct that subsequent to the conviction **the conduct** is no longer a crime.’”

A policy decision also needs to be made if this should apply if the conduct is no longer a crime or if the conduct is no longer illegal. For instance, many crimes are still illegal but are now civil violations. The wording of the bill should be specific to illegal conduct or crimes.

For these reasons, the Maine Prosecutors Association is neither for nor against the policy of LD 1917 but does believe language clarity is needed if this bill goes forward.

Sincerely,

Shira S. Burns

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