

CLAC MEMORANDUM/TESTIMONY (NFNA)  
LD 2161, An Act to Modify Certain Statutes Governing Revocation of Probation, Victim  
Confidentiality and the Commissioner of Corrections

TO: Senator Anne Beebe-Center  
Representative Tavis Hasenfus  
Joint Standing Committee on Criminal Justice and Public Safety

FR: Criminal Law Advisory Commission (CLAC)  
c/o Laura Yustak, CLAC Chair

RE: LD 2161

DA: February 6, 2026

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The Criminal Law Advisory Commission (CLAC)\* respectfully submits the following testimony neither for nor against LD 2161.

CLAC questioned whether the intent of Sections 2 and 3 of the bill is to give probation officers unilateral authority to withdraw motions to revoke and to file motions to transfer, particularly since the State's attorney approves motions to revoke, and given the responsibility of the State's attorney for prosecution of such motions, as well as the need to inform victims of case status.

\*CLAC is an advisory body established by the Legislature. 17-A M.R.S. §§ 1351-1357. It consists of 9 members appointed by the Attorney General. Our current members include defense attorneys, prosecutors, Maine Bar Counsel, and a retired practitioner with experience as defense counsel, prosecutor and in court administration. In addition, three sitting judges and one retired practitioner, appointed by the Chief Justice of the Supreme Judicial Court, and, by statute, the Co-Chairs of the Legislature's Committee on Criminal Justice and Public Safety, serve as consultants. The Supreme Judicial Court's Criminal Process Manager serves as liaison from the Court to CLAC. CLAC advises the Legislature on matters relating to crimes in the Criminal Code and in other Titles, the Bail and Juvenile Codes, and with respect to other statutes related to criminal justice processes.