

STATE OF MAINE

KATHRYN SLATTERY
DISTRICT I

JACQUELINE SARTORIS
DISTRICT II

NEIL MCLEAN
DISTRICT III

MAEGHAN MALONEY
DISTRICT IV



R. CHRISTOPHER ALMY
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NATASHA IRVING
DISTRICT VI

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DISTRICT VII

TODD R. COLLINS
DISTRICT VIII

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

“An Act to Provide Funding for Prosecutor Positions”
Before the Joint Standing Committee on Judiciary
Public Hearing Date: March 28, 2023
Testimony in Support of LD 186

Senator Carney, Representative Moonen and members of the Joint Standing Committee on Judiciary. My name is Shira Burns and I represent the Maine Prosecutors Association and am here to testify in support of LD 186.

All eight elected District Attorneys are in consensus, we cannot continue at the rate we are going. It is not fair to do so on behalf of the victims of our State, the criminal defendants in our State, anyone that has an interest for justice in our criminal justice system, and it definitely isn't fair to the prosecutors across Maine.

Title 30-A, section 272, subsection 5 states “[e]ach district attorney shall be allowed sufficient sums to ensure an adequate staff of assistant [district attorneys] to screen, process and investigate complaints, to assist law enforcement agencies, to conduct trials in the District and Superior Courts, to prosecute appeals in the Supreme Judicial Court and to carry out all other duties and responsibilities.” All eight elected District Attorneys are reporting they do not have an adequate amount of staff of assistant district attorneys to uphold these responsibilities and ethical obligations. This statute states the District Attorneys shall be allowed sufficient sums to ensure an adequate amount of staff.

This problem arises not only because of the increased caseload since 2019¹, but every individual case taking more time to screen, process, investigate complains, assist law enforcement agencies, conduct trials and participate in appeals and post-conviction matters.

The Maine Prosecutors Association is taking a multifaceted approach to combat the increased number of cases including 1) working with legislators to sponsor bills to reclassify existing criminal offenses to civil violations while also testifying in opposition to new criminal offenses being proposed that do not affect public or victim safety, 2) suggesting more efficient court processes through the Judicial Branch's court rules and legislation, and 3) advocating for resources for all parties in the criminal justice system.

For these reasons, the Maine Prosecutors Association is in support of LD 186.

¹ Increase of 86.9% in felony cases, 61.4% in misdemeanor cases, but a decrease of 27.8% in civil violations for a total increase of 63.3% in the criminal caseload.

Change in Pending UCD Cases, March 2019 to March 2023

Pending cases as of March 24 of each year

UCD	FELONY			MISDEMEANOR			CIVIL VIOLATION			ALL CASES		
	2019	2023	% Diff	2019	2023	% Diff	2019	2023	% Diff	2019	2023	% Diff
Androscoggin	345	677	96.2%	1,253	2,070	65.2%	46	5	-89.1%	1,644	2,752	67.4%
Aroostook	332	709	113.6%	575	990	72.2%	49	48	-2.0%	956	1,747	82.7%
Caribou	63	176	179.4%	122	205	68.0%	3	12	300.0%	188	393	109.0%
Fort Kent	34	128	276.5%	119	184	54.6%	12	13	8.3%	165	325	97.0%
Houlton	100	199	99.0%	115	282	145.2%	5	4	-20.0%	220	485	120.5%
Presque Isle	135	206	52.6%	219	319	45.7%	29	19	-34.5%	383	544	42.0%
Cumberland	786	1,251	59.2%	2,481	3,656	47.4%	113	77	-31.9%	3,380	4,984	47.5%
Bridgton	10	26	160.0%	195	281	44.1%	20	13	-35.0%	225	320	42.2%
Portland	763	1,200	57.3%	1,949	2,887	48.1%	69	43	-37.7%	2,781	4,130	48.5%
West Bath	13	25	92.3%	337	488	44.8%	24	21	-12.5%	374	534	42.8%
Franklin	85	145	70.6%	276	466	68.8%	36	32	-11.1%	397	643	62.0%
Hancock	208	427	105.3%	411	662	61.1%	39	51	30.8%	658	1,140	73.3%
Kennebec	313	635	102.9%	1,031	1,686	63.5%	55	18	-67.3%	1,399	2,339	67.2%
Augusta	303	603	99.0%	589	1,030	74.9%	31	10	-67.7%	923	1,643	78.0%
Waterville	10	32	220.0%	442	656	48.4%	24	8	-66.7%	476	696	46.2%
Knox	133	236	77.4%	297	562	89.2%	6	20	233.3%	436	818	87.6%
Lincoln	94	127	35.1%	210	332	58.1%	7	6	-14.3%	311	465	49.5%
Oxford	207	467	125.6%	462	1,146	148.1%	25	25	0.0%	694	1,638	136.0%
Bridgton	25	43	72.0%	73	124	69.9%	3	3	0.0%	101	170	68.3%
Rumford	93	170	82.8%	177	437	146.9%	9	8	-11.1%	279	615	120.4%
South Paris	89	254	185.4%	212	585	175.9%	13	14	7.7%	314	853	171.7%
Penobscot	363	890	145.2%	1,049	1,733	65.2%	154	74	-51.9%	1,566	2,697	72.2%
Bangor	354	860	142.9%	823	1,318	60.1%	95	35	-63.2%	1,272	2,213	74.0%
Lincoln	5	8	60.0%	73	209	186.3%	41	29	-29.3%	119	246	106.7%
Newport	4	22	450.0%	153	206	34.6%	18	10	-44.4%	175	238	36.0%
Piscataquis	16	38	137.5%	64	132	106.3%	23	56	143.5%	103	226	119.4%
Sagadahoc	79	187	136.7%	219	505	130.6%	26	14	-46.2%	324	706	117.9%
Somerset	135	242	79.3%	435	502	15.4%	62	33	-46.8%	632	777	22.9%
Waldo	103	185	79.6%	230	307	33.5%	2	7	250.0%	335	499	49.0%
Washington	102	179	75.5%	178	301	69.1%	50	28	-44.0%	330	508	53.9%
Calais	27	78	188.9%	78	124	59.0%	11	8	-27.3%	116	210	81.0%
Machias	75	101	34.7%	100	177	77.0%	39	20	-48.7%	214	298	39.3%
York	736	1,152	56.5%	2,492	3,773	51.4%	109	85	-22.0%	3,337	5,010	50.1%
Alfred	687	1,099	60.0%	82	95	15.9%	0	1	0.0%	769	1,195	55.4%
Biddeford	26	26	0.0%	1,175	1,978	68.3%	37	52	40.5%	1,238	2,056	66.1%
Springvale	16	16	0.0%	772	1,200	55.4%	54	26	-51.9%	842	1,242	47.5%
York	7	11	57.1%	463	500	8.0%	18	6	-66.7%	488	517	5.9%
TOTAL	4,037	7,547	86.9%	11,663	18,823	61.4%	802	579	-27.8%	16,502	26,949	63.3%

Columns

2019	Number of cases having at least one charge without a disposition, and without a currently active warrant as of March 24, 2019
2023	Number of cases having at least one charge without a disposition, and without a currently active warrant as of March 24, 2023
% Diff	Percent change in pending cases from 2019 to 2023. Red percentages represent an increase, green percentages a decrease.

Cases are categorized based on the most serious offense charged. Local ordinance violations filed with the courts are not included in the reported counts.