

STATE OF MAINE

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“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 Nate Walsh and I am an Assistant District Attorney in Prosecutorial District 3, and I am here to testify in support of LD 186.

I have been a prosecutor for nearly a decade now, and for most of that time I have been a designated Human Trafficking prosecutor, first in Cumberland County and then in Androscoggin County. I serve District Attorney Neil Mclean and primarily work in the Lewiston and Auburn area. I had the honor of working for former District Attorney Andrew Robinson, who now is now a District Court Judge. He had a rule for his prosecutors: “Do justice.” It sounds simple, but I assure you that it requires long hours and serious contemplation. In order to perform the job of a prosecutor ethically and feel confident that you are doing justice, you need to fully evaluate every case, make sure that your positions are legally sound, and that you have met all of your discovery obligations to every Defendant to ensure they have been treated fairly. I have heard other prosecutors say they enjoy their job because they get to go to work every day and do the right thing. To be able to do that, you need the time to do the job effectively. You must have the capacity to manage your caseload.

In addition to Human Trafficking cases, I also currently prosecute domestic violence cases and various felonies. I stand before you with a caseload approaching 400 active cases. I have two colleagues

in my office with misdemeanor caseloads of around 800 each. Many of these cases have victims who are expecting justice.

These investigations have police body camera videos, dash cam videos, photographs, medical records, audio recordings, and multiple written reports, which all need to be reviewed and disclosed as part of our discovery obligations. We work in the evenings and on weekends. In Androscoggin County, felony cases increased more than 15 percent from 2021 to 2022. In rural Oxford County, there was nearly a 29 percent increase in felony cases over the same period.

In my role as a prosecutor handling Human Trafficking and domestic violence offenses, I am actively involved in working with our non-governmental agency partners, such as anti-trafficking and domestic violence organizations. I need to be at the table with these advocates so that I can effectively do my job seeking justice for survivors. I also need to dedicate time to meet with survivors of these crimes to listen to them and actually hear them. These meetings are scheduled around a heavy court docket schedule where prosecutors are expected to be in court and prepared multiple days per week. All of that needs to be done in addition to preparing for jury trials on a continuing basis.

How these cases are handled has evolved from prior practices, and that includes investments in specialty courts. Our district has a Treatment and Recovery Court, a Domestic Violence Court, and a Mental Health Docket Court. It is the expectation that prosecutors meaningfully participate in these specialty courts. Our responsibilities as prosecutors are immense and growing. There is no room for error on our part if we are here to do justice.

The Judiciary is expanding with additional judges. Work is being done to address the shortage of criminal defense attorneys. There is a need for additional prosecutors to meet the demands of our communities.

For those reasons, I am here today in support of LD 186.



Nathan R. Walsh
Assistant District Attorney
Prosecutorial District Number 3