



HOUSE OF REPRESENTATIVES

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Senator Carney, Representative Kuhn, Distinguished Members of the Judiciary Committee:

My name is Will Tuell, and I represent House District 10 which includes nearly two dozen towns and unorganized townships in central Washington County.

I am here today in strong support of LD 16, which, as the title indicates, would establish separate prosecutorial districts in Hancock and Washington counties, sponsored by Sen. Moore and a bi-partisan, bi-county coalition of lawmakers on behalf of law enforcement, attorneys, and communities in Down East Maine.

This is not my first rodeo pushing for this legislation. As your analyst can attest, I have presented similar legislation twice before in the 129th and 130th legislatures – first to hold a referendum of both counties' voters and secondly to split the district straight up.

There will be a lot of talk today about the numbers, caseloads, and cost to the counties involved. And before I go any further, I want to credit our current district attorney, Bob Granger, for engaging in an open and honest dialogue. It has only helped us better prepare our case, and is, in the interest of transparency, commendable. Mr. Granger is a hardworking attorney who cares for the people he represents, and while we disagree, I admire him for putting himself out there. That being said, my reasoning for supporting this legislation is as it always has been: equal representation.

While the DA position is a law enforcement position it is also a political position much like yours and mine are. We serve at the sufferance of our constituents. Each of our districts are different; some of us have one big town or city, others have one big community and a few small surrounding communities, while others have too many to count, and they're spread out over a two-and-a-half hour drive.

The one thing we all have in common though is our districts change every ten years based on population. I used to represent the Machias area plus Lubec and Eastport, and because I lived in the Machias area and it accounted for the most population, my constituents there probably got better representation than those who live, say, in Eastport. No fault of mine or yours if you find yourself in a similar situation. It's just the reality, and the only way of evening it out is to redistrict every ten years as populations shift.

At the same time, counties elect our own sheriff, treasurer, Register of Deeds and Probate, as well as our own Probate Judge. We do not share these offices with other counties, and the people of the county have the sole say who fills that particular office.

Yet, in the forty plus years since Washington and Hancock counties have "shared" a DA, Washington County has not once elected the person filling that seat, and likely never will since Hancock County's population is nearly twice that of Washington County.

While it may not have been that way in the beginning, it is only getting harder for people in East Machias or Pembroke or Cooper to have a say in who their top prosecutor is. Unlike our positions where retail politics is critical, many have never, and will never meet their DA in the grocery store.

Instead of our sheriff walking next door and having a conversation with the DA, he or his staff (or the DA) has to travel to meet them somewhere. The same is true with defense attorneys and other stakeholders in the judicial system.

Yes, there is a DA office in Machias, and the people there do good work, but it is not the same thing as having "the DA" close by, and doesn't lend itself to spontaneous conversations that can open the door to getting something done.

Washington County has a diverse population with specific needs, whether we are talking about the Native American population as Rep. Dana can attest or the Hispanic population living in Rep. Strout's district, or those grappling with drug abuse or mental health issues.

For all of our challenges, and our small, scattered population, Washington County truly is a place unlike any other.

To underscore that point, I would remind the committee that Aroostook County has its own DA despite having a small, scattered, rural population. Why? Because, like Washington, it is spread out geographically and can not be effectively represented otherwise.

That is why I join you today and urge you to pass LD 16. In closing, I want to thank our cosponsors from Hancock County for joining us in this legislation, for listening, hearing us out, and realizing that it is for the best for both counties and for the state as a whole.

Thank you,

Rep. Will Tuell