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An Act to Provide Comparable Compensation and Benefits for Deputy and Assistant District Attorneys, Assistant Attorney Generals and Public Defenders  
Before the Joint Standing Committee on Judiciary  
LD 374  
Public Hearing Date: February 24, 2025

Senator Carney, Representative Kuhn and members of the Joint Standing Committee on Judiciary. My name is Chelsea and I am a prosecutor in Penobscot County. I am here to testify in support of LD 374.

I prosecute primarily child sexual abuse and domestic violence cases. I regularly work well over 40 hours a week as do many of my colleagues. We do not receive overtime pay even when we are on call for a week at a time, often being woken up in the night to review search warrants or answer legal questions. We are in an enormous backlog that grows bigger every day due to the failure of the state to provide counsel to indigent defendants. Cases sit for several months just waiting for a lawyer and in that time more and more cases come in. We are faced every day with the impossible job of trying to balance the need to move cases with the need to hold offenders accountable and seek justice for victims. We have to explain to victims of substantial acts of domestic violence that the cash bail of their abuser is being reduced despite legitimate safety concerns simply because there is no lawyer to take on the case. We are constantly subjected to criticism like "why don't you just prosecute less cases?" while simultaneously explaining to the police why we are declining more cases than ever. And in the midst of all of this I can pull up an ad for a public defender job with the same years of experience as I have for a salary \$15,000 higher than my own.

When public defender offices were first created a couple of years ago and the advertisements started going out for assistant defenders the pay advertised was higher for an assistant defender than it would be for an assistant district attorney. At that time we were told that that the ad must be in error because prosecutor and defender pay was to be equal. However, just a few months ago I saw an assistant defender position posted that listed the starting rate of pay for someone with 5+ years experience, which is what I have, as about \$15,000 higher than what my pay was and I have confirmed that the advertisement is correct. I have also attached to my testimony an assistant defender opening that starts at \$102,107.20 with 5 years of criminal law experience **preferred**. That information is frustrating, it's demoralizing and it is unfair. It is hard to raise the issue of the hardships of prosecutors right now because everyone is rightfully focused on the absolute crisis that is indigent counsel. However, a fair and efficient

criminal justice system depends on more than defense attorneys, it also depends on the recruitment and retention of qualified prosecutors and how can we retain prosecutors when we don't even have equitable pay? The reality is that in a choice between being a prosecutor or being a public defender, being a prosecutor means having an insurmountably higher caseload for lower pay. You have the opportunity with this bill to correct one of those issues by increasing prosecutor compensation to be comparable with public defenders.

Thank you,

*/S/ Chelsea Lynds*

Chelsea Lynds, Deputy District Attorney  
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