

Maine PRISONER ADVOCACY Coalition



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Testimony in support of LD 449 to the Committee on Judiciary

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Senator Carney, Representative Kuhn, and distinguished members of the Committee:

My name is Peter Lehman and I live in Thomaston. I am a formerly incarcerated citizen and a person in long-term recovery.* I am testifying in support of LD 449 on behalf of the Maine Prisoner Advocacy Coalition whose goal is to promote restorative practices in order to increase public safety and the health of our community.

The most effective criminal disposition is probation. Most people sentenced to only probation for a first offense don't reoffend. Ever. BUT they may end up with a probation officer who is only enforcement oriented, rather than the ideal mix of supportive accountability. They **certainly** will end up with a criminal record to haunt them for the rest of their life.

If I understand it correctly, this bill proposes an even better solution: up to six months in the community with conditions, perhaps with supervision by Maine Pre-Trial or some other agency. Successful completion would mean dismissal without a criminal record.

First offenses are a critical opportunity for productive intervention. Conditions might include counseling, drug treatment, working on a high school diploma, living in a recovery residence, parenting education, adult education and/or vocational education courses. A culinary arts course or a CDL course.

And a **lot** of savings in court time.

If they do not complete their conditions, then they are back to the original situation. No loss but a potential for great gain.

In short, this bill gives the judiciary another positive and cost-saving option not currently available.

* In the interest of honesty and disclosure, a personal background statement is available on request.

To extend the logic of this bill, and improve it, we might consider creating an immediate routine screening and assessment of first offenders even before their first appearance.

This screening would give the court a more personal view of the defendant than the charge and might make recommendations about immediate options, including conditional discharge.

We have some reservations about the fees included in the proposal and hope these can be modified in work session, remembering that every day a person is kept out of incarceration saves a LOT of money.

This bill creates more options for the Courts and for defendants, along with potential cost saving. We hope you will support it.

Thank you for your attention.

I am happy to try to answer any questions.