



# HOUSE OF REPRESENTATIVES

2 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0002  
(207) 287-1400  
TTY: MAINE RELAY 711

## **David Sinclair**

1392 Washington Street  
Bath, ME 04530  
Phone: (207) 807-1610  
[David.Sinclair@legislature.maine.gov](mailto:David.Sinclair@legislature.maine.gov)

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*Testimony of Rep. David Sinclair presenting*  
**LD 449, An Act to Authorize a Court to Conditionally Discharge  
Certain Criminal Defendants**  
*Before the Joint Standing Committee on Judiciary*

Senator Carney, Representative Kuhn and fellow members of the Judiciary Committee, good afternoon. I am Rep. David Sinclair, proudly representing the people of the City of Bath, House District 50, and I appreciate the opportunity to present this Commission bill, **LD 449, An Act to Authorize a Court to Conditionally Discharge Certain Criminal Defendants**.

As members of this Committee are aware, our courts are working to reduce case backlogs and to meet the public's needs of the judicial system in a more timely fashion. This bill is one of several to be considered this session that are designed to give the courts additional tools to streamline processes where appropriate and to proactively manage their caseload.

Providing a mechanism for conditional discharge enables the courts to resolve certain low-level offenses in a way that is mutually beneficial to the community and to the specific defendant without the time and expense of trial and without requiring the defendant to relinquish constitutional rights or to incur a conviction.

Thank you for your time and consideration - I am happy to answer any questions committee members may have, but we also have representatives here from the Commission on Public Defense Services (PDS) so you may wish to hold questions for them. Before closing, I want to quickly add that last week we came upon a case from the mid-70's (State v. Fixaris, 327 A.2d 850) that presents challenges for the bill's current drafting, and we hope to have an amendment prepared in advance of the Work Session to address those challenges.