



TESTIMONY OF MICHAEL KEBEDE, ESQ.
LD 527 – Ought to Pass

An Act to Establish Bail Officers to Administer the Maine Bail Code

Joint Standing Committee on
Criminal Justice and Public Safety

March 17, 2025

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Senator Beebe-Center, Representative Hasenfus, and distinguished members of the Joint Standing Committee on Criminal Justice and Public Safety, greetings. My name is Michael Kebede, and I am a policy director for the American Civil Liberties Union of Maine, a statewide organization committed to advancing and preserving civil liberties guaranteed by the Maine and U.S. Constitutions. On behalf of our members, I urge you to support this bill.

If enacted, this bill would amend the Maine Bail Code to create the new full-time position of bail officer. Bail officers would perform the work currently done by Maine's bail commissioners.

Although seemingly modest, this bill will significantly enhance civil liberties in Maine. Currently, our bail system is administered by approximately 70 part-time bail commissioners who are independent contractors and have a varied grasp of the Maine Bail Code. Commissioners usually set bail over the phone, without the defendant, their attorney, or the public present. Bail commissioners have denied bail and sent people to jail even when the Bail Code requires that the defendant be set free.¹ In each case, in addition to any required bail bond, defendants are charged a non-refundable \$60 fee.

This bill would professionalize the bail system by gradually replacing bail commissioners with trained, full-time bail officers. Rather than the defendant bearing the \$60 cost of hiring bail commissioners, the state would pay bail officers a full-time salary. Bail officers would also be trained, providing them with a better and more uniform understanding of the Bail Code, and leading to fairer, more consistent bail determinations across the state and fewer incarcerations in violation of the Bail Code. Moreover, bail officers can be hired to be available during odd hours, when bail

¹ Amanda Doherty, the Manager for the Judicial Branch's Criminal Court Process & Specialty Dockets, informed me of this.



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commissioners might be unavailable since they do not have set hours. That way, nobody who is charged with a crime in Maine will have to wait in jail until an available bail commissioner is located.

Even one night in jail can derail a person's life. It can leave kids without parents or result in adults losing their job. It can mean missing medical appointments or important family events. It is a deprivation of liberty that should be permitted only in limited circumstances.

To avoid the unnecessary cost—both financial and social—of jailing people who do not pose any risk to their communities, we ask you vote ought to pass.