



ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

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February 17, 2026

Senator Anne Carney, Chair
Representative Amy Kuhn, Chair
Joint Committee on Judiciary
5 State House Station, Room 438
Augusta, ME 04333

Re: Opposition to L.D. 2207 — An Act Regarding the Statute of Limitations for Certain Sexual Offenses Committed Against Minors

Dear Senator Carney, Representative Kuhn, and Honorable Members of the Judiciary Committee:

The Maine Association of Criminal Defense Lawyers opposes L.D. 2207.

We recognize the profound seriousness of crimes involving sexual exploitation of minors and share the Legislature's commitment to protecting children and supporting survivors. Our position does not minimize harm. Instead, it reflects concern for the reliability and fairness of the criminal justice system, which must produce accurate verdicts.

A criminal trial depends on reliable evidence, and time steadily erodes reliability. Memories fade, witnesses die or disappear, physical evidence degrades, investigators retire, and records vanish. After enough years pass, a courtroom cannot reliably reconstruct events. At that point a prosecution risks becoming a credibility contest untethered from verifiable fact. Statutes of limitation exist not to reward wrongdoing but to protect the truth-seeking function of trials. The Legislature has historically recognized this principle across criminal law, even for serious felonies, because wrongful convictions become more likely as evidence ages. Eliminating the limitation period for certain offenses permits prosecutions long after objective evidence disappears, increasing the risk of convictions based primarily on uncorroborated recollection.

The passage of time also affects the parties differently. The State investigates once a report is made and preserves evidence through institutional systems. An individual accused years later rarely preserves alibi documentation, phone records, employment schedules, or location data decades in advance of an allegation. When prosecution begins long afterward, exculpatory witnesses cannot be found, electronic records no longer exist, and physical locations have

changed. The accused faces trial without a meaningful ability to defend against the charge. The Constitution guarantees a genuine opportunity to defend, not merely the formality of a trial.

Extremely delayed prosecutions also risk undermining public confidence in verdict reliability. Without contemporaneous evidence, juries must evaluate guilt largely through demeanor and narrative consistency. Survivors deserve outcomes viewed as unquestionably reliable rather than outcomes shadowed by doubt about whether the system could still test the allegation.

Maine has already expanded prosecution windows for serious sexual offenses, allowing prosecution for decades in many circumstances.

A longer period preserves investigative flexibility while still protecting reliability; eliminating the endpoint removes the safeguard altogether.

Public safety does not require abolishing limitation periods. Civil remedies, protective orders, investigations, and prosecution of more recent conduct remain available. The question before the Legislature is not whether these crimes deserve condemnation—they unquestionably do—but whether courts can still determine guilt accurately after decades have erased the evidence necessary to test an allegation.

The criminal justice system must pursue accountability and accuracy together. When time destroys the ability to test evidence, accountability no longer guarantees accuracy. L.D. 2207 would authorize prosecutions in cases where fair adjudication becomes increasingly unlikely, risking wrongful convictions, unreliable acquittals, and diminished public confidence in verdicts involving some of the most serious allegations our courts confront.

For these reasons, the Maine Association of Criminal Defense Lawyers respectfully urges the Committee to vote **Ought Not to Pass**.

Sincerely,
/s/Jeremy Pratt
Jeremy Pratt, Esq.