



## MAINE ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

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February 17, 2021

Senator Susan Deschambault  
Representative Charlotte Warren  
Committee on Criminal Justice & Public Safety  
100 State House Station Room 436  
Augusta, ME 04330

RE: LD 419 -- An Act Regarding Participation in Public Works Projects by  
Pretrial Inmates

Dear Senator Deschambault, Representative Warren and Members of the Criminal  
Justice and Public Safety Committee:

MACDL supports LD 419.

This bill addresses the issue of whether individuals who have been charged with a crime, but who have not yet been convicted or sentenced, can participate in public works projects run by the jails. As the statute stands now, it does not specify who is eligible to participate in such programs, and the language of the existing statute could suggest that only those who were actually convicted could participate in these projects.

There is no reason why inmates who are awaiting trial should be precluded from participation here. These public works projects are all well run by the sheriff's offices and provide needed assistance to communities in a variety of settings. By the same token, individuals who are participating in these programs are actually out doing positive work for the community instead of simply sitting in jail providing the community with no service or assistance.

It may well be that the existing statute allows this in the current language but, regardless, if a clarification is needed so that the sheriffs can feel comfortable allowing pretrial detainees to be part of these programs, all the better.

Thank you for the opportunity to address this issue.

Sincerely,

Walter F. McKee  
Chair, Legislative Committee