



MAINE ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

P.O. Box 17642
Portland, ME 04112-8642
(207) 523-9869
mainemacdl@gmail.com

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Committee on Criminal Justice & Public Safety
100 State House Station Room 436
Augusta, ME 04330

RE: LD 1604: An Act to Reclassify Certain Offenses under the Inland Fisheries and Wildlife Laws and Motor Vehicle Laws and Increase the Efficiency of the Criminal Justice System

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

MACDL supports LD 1604.

LD 1604 reduces a limited number of existing Inland Fisheries and Wildlife (“IFW”) offenses from criminal violations to civil violations while also reducing a limited number of motor vehicle offenses from criminal violations to civil violations.

The fact that many of the violations discussed in LD 1604 are crimes in the first place is troubling. Protection of Maine’s natural resources and administration of its motor vehicle laws are certainly important state interests. The ability to impose up to 6 months in county jail and the creation of a life-long criminal record, however, is far from necessary to protect these interests or public safety.

Leaving a duck blind out in Merry Meeting Bay after hours or holding rabbit field trials with beagles before September 1st are simply not acts that should lead to criminal convictions. The same is true for having an expired vehicle registration beyond 150 days or moving to Maine and failing to establish residency after 90 days. LD 1604 rightly identifies these and other similar criminal statutes and reduces them to civil violations.

LD 1604 also incorporates the necessary 4th Amendment protections to these and other civil proceedings so that Mainers enjoy the same reasonable expectation of privacy in their homes and vehicles for civil matters as they do in criminal matters.

For all these reasons, MACDL supports LD 1604.

Thank you for your consideration.

Sincerely,
/s/ Matthew D. Morgan
MACDL Vice President