



TESTIMONY OF ALICIA REA, ESQ.  
LD 1189 – Ought to Pass

**An Act to Prohibit Arrest and Detention for Civil Violations and  
Require an Attorney for the State to Determine Whether to Charge a  
Class E Offense as a Civil Violation**

Joint Standing Committee on Judiciary  
April 4, 2025

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Senator Carney, Representative Kuhn and distinguished members of the Joint Standing Committee on Judiciary, greetings. My name is Alicia Rea and I am a policy fellow at the ACLU 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 LD 1189.

The ACLU of Maine prioritizes criminal legal reform, seeking to end criminal law policies that disproportionately affect poor people and people of color. All Maine people deserve to have safe and healthy communities and to participate in those communities. LD 1189 will help accomplish this goal.

If enacted, LD 1189 would provide a tool for prosecutors to charge Class E crimes as civil violations. Under current law, Class E charges are criminal violations, punishable with a term of incarceration up to six months and up to \$1,000 in fines.<sup>1</sup> As Maine courts are overwhelmed with a backlog of criminal legal cases and the public defense system lacks attorneys to defend people accused of crimes, providing the State's attorneys with the discretion to charge Class E crimes as civil violations can help to alleviate these issues.

According to the Maine Statistical Analysis Center, 34,940 of the 70,317 charged cases in 2023 were Class E misdemeanors—half of the charged cases.<sup>2</sup> It is undeniable that enacting this bill would help conserve judicial resources.

We urge you to vote ought to pass.

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<sup>1</sup> 17-A M.R.S. §1604(1)(E); §1704(5).

<sup>2</sup> Maine Statistical Analysis Center, *Prosecutorial Data Dashboard*, available at <https://mainesac.org/prosecutorial-data-dashboard/>.