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May 1, 2025

Senator Anne Carney - Chair
Representative Any Kuhn - Chair
Committee on Judiciary
100 State House Station Room 438
Augusta, ME 04330

RE: LD 1780: An Act to Secure Under Authority of a Subpoena Pretrial Statements from a Witness Other than the Defendant in a Criminal Proceeding

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

MACDL supports LD 1780.

There exists a massive imbalance of power between the State and an accused when investigating a criminal case. LD 1780 attempts to level the playing field.

The State has the power to deploy law enforcement to interview witnesses, they have the power to subpoena witnesses to testify before a grand jury but an accused has neither of these tools.

What LD 1780 does is it gives an accused a tool to obtain information from a potentially relevant individual. Simply put this is an information gathering tool for an accused; a tool that they currently do not have. LD 1780 requires the State to be notified when this information is sought. There are safeguards in place to ensure that LD 1780 is not used to embarrass or harass an individual.

LD 1780 should result in cases being resolved more quickly. Currently, an accused has no way to compel information from a potential witness and oftentimes an accused and counsel are left just moving the case forward because they have incomplete information and sometimes trials result from simply lacking information. LD 1780 should remove uncertainty about what information is available and what may be testified to.

LD 1780 is a fair measured bill that offers reasonable protection to all parties involved and reasonable consequences for failure to comply. MACDL asks this committee to pass LD 1780.

Sincerely,

/s/

Jeremy Pratt, Esq.,
President, MACDL