



Cumberland County District Attorney's Office

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May 4, 2021

The Honorable Bill Diamond, Senate Chair
The Honorable Danny Martin, House Chair
Joint Standing Committee on Transportation
State House, Room 126
Augusta, Maine 04333

Re: L.D. 821, *An Act To Improve the Investigation and Prosecution of Cases That Involve Vulnerable Road Users*

Senator Diamond and Representative Martin,

I am writing in support of the amended L.D. 821, *An Act To Improve the Investigation and Prosecution of Cases That Involve Vulnerable Road Users*. I regret that I was not made aware of the amendments to L.D. 821 until after the public hearing. I am aware of the committee vote and I am hoping that it would be possible to reconsider. I am joined in support of this legislation by District Attorneys Kathy Slattery (District 1), Andrew Robinson (District 3), Maeghan Maloney (District 4), and Natasha Irving (District 6).

As you all know, L.D. 821 requires law enforcement to contact the District Attorney's Office if there is a probable cause determination of a civil or criminal infraction when bodily harm or death occurs during a motor vehicle/vulnerable road user crash. To be quite frank, the Cumberland County District Attorney's Office has a policy that we request that our law enforcement partners contact us during these incidents. We want the prosecutor to assist with the law enforcement investigation to ensure that all the evidence is being collected, questions are being asked, leads are being pursued, and my office is going to be in the best position possible to ensure that we will be able to speak for the victim in the criminal justice system. If the police officer or sheriff's deputy on the scene does not determine there is probable cause of a criminal or civil offense, my office does not need to be contacted. We have found this to be effective policy can become good law that protects public safety, especially for vulnerable individuals.

As the District Attorney for the prosecutorial district that would be most affected by this change with an estimated 30 cases being referred each year, I am happy to take on this additional burden if it means that the roads of Cumberland County will be safer and drivers will be held accountable. It is important that all individuals are protected on the road, especially those who are the most vulnerable. I would urge the Committee to reconsider their vote on L.D. 821.

I appreciate your time and consideration during this very busy legislative session. Please contact me if you have any additional questions.

Sincerely,

Jonathan Sahrbeck
Cumberland County District Attorney