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LD 756

To members of the Criminal Justice and Public Safety Committee:

I am writing to the Committee to urge that you vote “Ought NOT to Pass” for both LD 756 and LD 799, bills to authorize funding of patrol officers for Penobscot County. I urge this vote primarily for two reasons.

It is my understanding that funds for these patrol officers has already been raised from towns in Penobscot County. State funding should not be used when local funding for local needs is available and is already being used.

More importantly, a large majority (estimated nationally at 2/3 or more) of those arrested and jailed are dealing with either mental health problems or substance use disorder, or both, sometimes also poverty, and these are often the real reason why individuals are arrested and jailed. Yet, there is (almost) no funding to address these problems. Funding should instead be prioritized to address these issues, so that a person is able to get treatment rather than being incarcerated in a jail.

Otherwise, people are cycled into jail or prison, back out, and back in again, with no hope of addressing the real issues causing them to be charged with crimes.

If public safety is more important than criminal justice (that’s what “criminal justice is for—to attempt to improve public safety), that is another reason why we need more funding of programs that address the root causes of many crimes—mental health, substance use disorder, and poverty. In many cases, individuals who are released from jail or prison are more likely to be charged, and in some cases commit, crimes as a result of their time locked up. That is because there is little to no attempt by the criminal punishment system to provide anything beyond punishment. When there are stories of people bettering themselves while incarcerated, it is because of their own initiative. The recidivism rate is well over 50% within the next five years after release, in part, again, because there are few or no options for addressing the underlying reasons for any criminal activity.

The Penobscot County sheriff, Troy Morton, acknowledges that there are individuals that need help that is not provided in the jail and belong elsewhere. Yet, there are few, if any, options to jail in the county. What is needed instead are more facilities, outside the jail and with no relationship to it, to treat people who want to get better but have no place to go for that. This can be concerning mental health, substance use disorder, or both. It can also save lives; those with an addiction are more likely to die in jail or soon after release.

If insanity is defined as doing the same thing over and over again and expecting different results, than the legislature would be committing an extreme error by funding more officers, more arrests, and more expensive lockups in a jail that is already overcrowded. Locking more people up has not been shown to reduce crime. What is really needed, and I hope this committee will prioritize, is funding to deflect and divert those who could be arrested into programs outside the criminal punishment system that help them to become more productive and less liable for future arrest. In many cases, those programs may be handled by other legislative committees, so the CJPS committee should oppose funding patrol officers under LD 756 and 799.

If Penobscot County already has funding for the patrol officers, but even if it does not or thinks it doesn’t, and the priority for public safety needs to be helping those with mental health or substance use disorder issues, then the legislature needs to make that message clear. Legislators should earmark these funds—\$500,000 and \$1.24 million—where they are needed most: to address those with mental health and substance use disorder issues in Penobscot County. It should go on record urging the legislature to prioritize funding for those needs, not more patrol officers.

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