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Senator Pinny Beebe-Center, Chair
Representative Suzanne Salisbury, Chair
Committee on Criminal Justice & Public Safety
100 State House Station, Room 436
Augusta, ME 04333

RE: LD 1301: An Act Regarding Transition Coordination, Prisoner Attendance at Funerals, Furloughs, Visitation and Discretionary Accounts in County Jails

Dear Senator Beebe-Center, Representative Salisbury, and Members of the Committee on Criminal Justice & Public Safety:

MACDL submits this testimony in support of LD 1301: An Act Regarding Transition Coordination, Prisoner Attendance at Funerals, Furloughs, Visitation and Discretionary Accounts in County Jails.

When a client—particularly clients who are unhoused—is released from jail after a long period, it is not an exaggeration to say that they have nothing. No clothes, no place to stay, no food, no options. It should not surprise anyone that given those dire circumstances, many recently released clients relapse, overdose, reoffend, and die in the days and weeks following. Without the appropriate supports in place, our clients do not stand a chance upon release.

Having a dedicated transition coordinator in each jail facility would do much to ensure a smoother reentry for our clients back into the community, which in turn ensures their health and safety and public safety at large. The cost associated with creating such positions would be more than offset by the reduction in re-arrests for the people who have been released. It is humane.

Last fall, I took over representation for a man who had been incarcerated, waiting for trial, since December 2018—more than 3 ½ years. As we approached his trial date in November 2022, 47 months after his arrest, the prosecution offered him a “take it or leave it” plea deal—time served, no probation, good for that day. My client took the deal. He was released a few hours later from jail, his home for nearly four years, with a garbage bag full of his legal papers and the clothes he was arrested in. He had nothing to help him get back on his feet after spending the latter half of his 50s incarcerated. This is not the only story I could tell, but just know that his story is one of untold many.

Additionally, having each jail formalize policies around funeral attendance, furlough, and the like could go a long way towards standardizing incarcerated people’s eligibility for such consideration. No one should be deprived of the opportunity to say their final goodbyes to a family member or loved one simply because they cannot afford to post bond. Similarly, furlough recognizes the humanity of each incarcerated person—allowing them access to treatment, to see a dying relative, to get access to medical services unavailable at the jail.

Standardizing the ability of incarcerated people to have in-person visitation could do wonders for the mental health and stability of the incarcerated person, as well as their

family—including children. Maintaining contact to loved ones is essential to incarcerated people as they live through some of the most difficult times in their lives.

We also strongly support the creation of a fund for indigent incarcerated clients. Without access to such funds, our indigent clients do not have access to supplemental food or toiletries or any other small items that make their incarceration the least bit comfortable. This would be a fund that is supported by private funders, including donors, so apart from the labor required to distribute the funds, this would have no cost to the jails themselves and provide an immeasurable benefit to the people housed there. This is an unmitigated good.

Thank you for your consideration and your attention to this matter.

Sincerely,
/s/ Tina Heather Nadeau, Esq.
MACDL Executive Director