

Larry Dansinger
Bangor
LD 1543

To Members of the Criminal Justice and Public Safety Committee of the Maine Legislature:

I am writing in opposition to LD 1543 “Resolve, to Establish the Commission to Recommend Cost-effective, Safe, Administrable and Healthful Programs to Reduce Violence in Prisons and Jails.” My opposition is based on the composition of the proposed commission.

A commission studying a specific problem and making recommendations on solutions to that problem should be made up of a diversity of people but primarily those who have been or are most impacted by the problem. Therefore, the (vast) majority of those on that commission should be made up of those with the most direct experience with and knowledge of the problem and what to do about it. In this case, those individuals should have been incarcerated, especially those who have experienced violence or seen how violence could be avoided, and, to a lesser extent, those who are around those (potentially) violent situations on a regular basis—guards.

This is not the recommended makeup of the commission. Of the 15 individuals making up the committee, only #5 (advocating for interests of people who are incarcerated), #10 (solitary confinement—whatever that means!), and maybe #11 (“racial minorities”) and/or #7 (behavioral health/SUD) are definitely, likely, or possibly individuals who have experienced jail or prison, in any significant and long term way. It is also possible that #6 could be a current or former guard. So, only about 3, maybe 4, out of 15 on the commission really understand and have personally experienced this problem. If you don’t understand a problem personally, how can you identify an effective solution? It’s much more difficult, maybe impossible.

Of course, a commission can talk with others who have that personal, lived, experience. But, those individuals have no final say in what the commission recommends. They do not have the power to make a decision where they are the most knowledgeable. This happens constantly in the legislature, in workplaces, and in many other situations. Those who know the most and are most impacted have little or no say or power over what happens to them. They are cogs in the wheel but not decision-makers who have some control over their own lives.

Having someone from the DOC, the Maine Medical Association, organized labor, public health, sheriffs, psychiatric physicians, and the legislature itself on the commission makes sense because you want buy-in from these groups for the recommendations of the commission. However, representatives from those groups can be on an “advisory panel” that is consulted by the commission but is not part of final decision-making on recommendations.

I know it is a stretch for those who have power to give up some of that power to those, like individuals who have been incarcerated and those who guard them, who appear to have little or none and are not always well-respected by those who consider themselves more “respectable.” But, I urge you to redesign the makeup of the committee to include at least 6-8 individuals who have been incarcerated and at least two current or former guards.

Sincerely,

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