

Testimony of Doug Dunbar from Hermon, Maine

In Support of LD 1626

**An Act to Standardize Requirements Between Boards of Visitors for
County Jails and Department of Corrections Correctional Facilities**

Public Hearing: April 25, 2023

Senator Beebe-Center, Representative Salisbury and members of the Committee on Criminal Justice and Public Safety, my name is Doug Dunbar. As a person with the lived experience of being a resident of three Maine jails in 2016, 2017 and 2018, I write to urge your support of LD 1626, but hope you will make a change in the bill so sheriffs are not authorized to appoint *all* members of county jail boards of visitors.

If boards of visitors are active, taken seriously by state and county officials, and permitted to perform their duties without interference, they can be instrumental in safeguarding the most vulnerable in jails and prisons, and help to bring about meaningful change. Unfortunately, this scenario has rarely occurred.

Boards of visitors are supposed to be outside eyes and ears monitoring the culture and treatment of residents inside jails and prisons. They are supposed to pay particular attention to the care of individuals suffering from mental illness, which should include people struggling with substance use disorders. Sadly, this has infrequently happened in Maine.

Because my periods of incarceration resulted from self-medicating with alcohol to deal with mental illnesses (OCD and anxiety), I care deeply and passionately about boards of visitors. In my case, stigma and fear kept me from seeking treatment. My mental health disorders, which have been with me since early childhood, were concealed from everyone in my life. They were often tormenting and debilitating, but I managed my way through life until 9/11.

When the terrorist attacks occurred nearly 22 years ago, I was working on Capitol Hill in Washington as John Baldacci's communications director in the U.S. House of Representatives. My obsessive compulsive disorder and anxiety spiraled out of control. Soon after, I began drinking on a regular basis to cope and survive.

Returning to Maine, I worked as Governor Baldacci's press secretary, then served as Maine's Chief Deputy Secretary of State. During those years, my alcohol consumption increased in frequency and quantity. Eventually, I began to experience legal problems.

Very poor decision-making caused by my alcohol use disorder ultimately resulted in several months in jail and over a year in the Penobscot County Adult Drug Treatment Court. While incarcerated, my eyes were opened to our profound failures as a society to properly care for people who are ill and to provide appropriate community-based services and resources.

The number of individuals with mental illness who land and languish in our jails and prisons is unconscionable. Until you have witnessed and experienced what happens to people who are ill in places of incarceration, I am not sure you can fully appreciate our collective failures.

Not long after being released from Penobscot County Jail in 2018, I learned a board of visitors had not existed since 2007, despite Maine law having required one beginning several years earlier. It took considerable effort to convince Penobscot County to follow the law and establish a board

www.bangordailynews.com/2019/09/16/news/bangor/penobscot-county-didnt-have-a-jail-board-of-visitors-then-a-former-inmate-said-the-law-required-one).

Although a board for Penobscot County Jail has now existed since 2019, it has fallen short of performing the intended meaningful role, largely due to restrictions placed on it by jail administrators, but also because board members have made it almost impossible for the public and formerly incarcerated individuals to communicate with the board and engage in constructive dialogue.

After learning of the absence of a board in Penobscot County, I contacted Maine's other 15 sheriffs. Responses made it evident that only a couple of counties had anything close to a fully-functioning board. On the state level, I was disappointed and discouraged, but not surprised, that boards for prisons either did not exist, lacked members or did very little.

This is completely unacceptable and harmful to people who are ill.

Fortunately, you are in a position to do something about it. We desperately need outside eyes and ears inside our places of incarceration. They are often closed, highly secretive places. This can, and does, lead to substandard care or direct harm to residents. Again, until you have witnessed and experienced life inside these facilities, it is almost impossible to fully comprehend it.

LD 1626 provides a vehicle for urgently-needed change. But it should be amended to ensure sheriffs are not appointing all jail board members. This can easily result in a group of people who are friendly with the sheriff and reluctant to ask tough questions or bring about reform. I have seen this happen. Having sheriffs appoint all members can create a board that simply rubber stamps the words, plans and actions of jail administrators.

If we genuinely wish to make sure residents of our jails are not neglected or otherwise mistreated, especially the most vulnerable, we must do so much better. LD 1626 provides a way for this to happen. Please support this important piece of legislation. Thank you to Senator Beebe-Center for sponsoring it.

Thanks for your time and consideration of this lengthy testimony. If anyone would like additional information or insights about living in Maine jails and the importance of functioning boards of visitors, I would be happy to talk or communicate by e-mail. My address is dougddunbar@yahoo.com and my phone number is 207-299-5626.