



Maine County Commissioners Association

4 Gabriel Drive, Suite 2 Augusta, ME 04330, 207-623-4697
www.mainecounties.org

LD 2109, An Act to Maintain State Police Rural Patrol Services at 2020 Staffing Levels

January 29, 2024

Chair Beebe-Center, Chair Salisbury, and members of the Joint Standing Committee on Criminal Justice and Public Safety, my name is Stephen Gorden and in addition to serving as a member of the board of commissioners for Cumberland County, I am testifying today in my role as chair of the legislative policy committee of the Maine County Commissioners Association. We appreciate the opportunity to provide testimony to the Committee in support of LD 2109 in an effort, together, to solve a growing public safety issue in the rural parts of your counties.

About MCCA. Briefly, the Maine County Commissioners Association was established in 1890 to assist Maine's county government in providing vital services to Maine citizens in a responsive, efficient, and credible manner. The Association is based in Augusta, represents all 16 of Maine's counties, and is governed by a board with representation from each participating county.

Responsibility for rural patrol. Maine is a large and rural state. We have also been a relative safe state, in part because of the excellent service Maine people receive from law enforcement services on the local, county, and state level. With regard to rural patrol in particular, the Maine State Police are required by state law to provide patrol of the State's highways with an emphasis on rural parts of the State. *25 M.R.S. §1502*. County sheriffs are permitted to engage in rural patrol within their respective counties, and over time, counties have devoted more resources to this service. The net result is that rural patrol has been a shared activity between the Maine State Police and county sheriffs.

The challenge: the Maine State Police have been cutting back on rural patrol. The challenge that is emerging with regard to rural patrol is that, for a variety of reasons, the Maine State Police have had to reduce the number of state troopers assigned to rural patrol, which has altered the balance between state and county responsibilities and costs. According to a 2018 study of Maine State Police Capacity, from 1976 to 2018, the State Police experienced a decrease of *patrol* capacity of 162,240 hours annually, or approximately 78 full-time trooper positions. Additionally, state police troopers have experienced increased demands and requirements related to report writing and trooper training, which require approximately 35,185 hours and 36,446 hours annually, respectively. These demands continue to decrease the amount of time troopers are able to dedicate to patrol functions, including rural patrol.

One reason for this decline relates to a shift in focus by the Maine State Police from traditional highway patrol to other specialized services, including the State Police's Tactical Team, Evidence Response Team, Crowd Management Team, Crisis Negotiators, K-9 Units, and others. Some specialty teams are staffed with full-time officers. However, the majority of the specialty teams are composed of patrol troopers who must periodically leave their assigned patrol area to train and respond to specialty team calls. These specialty services result in at least a 16,362-hour decreased capacity annually for normal trooper patrol functions. To be clear, we believe these specialty services are important and valuable services and we support them. We do not believe these services should be reduced.

More officers are needed to meet our rural patrol needs. What the 2018 capacity study demonstrates is that, in order for the Maine State Police to continue to meet their responsibilities for rural patrol, they simply need more officers in the field. In this regard, not long ago, the Maine State Police requested an appropriation to support more state troopers, but this request was not granted. At the time, had we known, our Association would have participated and supported their efforts. If the same issue were to come forward today, we would support it.

Sheriff departments do a great job, but at a cost to the local property taxpayer. As a consequence of the steady reduction in rural patrol by the Maine State Police, there have been gaps in patrol coverage. These gaps are important to the people of Maine who need public safety services, and if not filled, the result is longer response times and less enforcement of the laws. In many cases, these gaps have been filled by county sheriff departments, who do an excellent job. These deputies are local and known by the people they serve. It's this engagement that provides an additional public safety value. However, providing these services locally comes at a cost to the county property taxpayer, which is a major concern to county commissioners who are responsible for the creation of positions, hiring of all county employees, purchasing of capital equipment, their county budgets and ultimately establishing their county property tax rate, and we very much understand the impact that higher property taxes have on the people of Maine.

What is the solution? I have discussed the challenge, which is the widening gap in rural patrol as the Maine State Police have scaled back on such patrol. The question becomes: how do we – the Maine State Police and the counties – provide the rural patrol, public safety services in a manner that appropriately shares the costs between the state and local taxpayers? On this question there has not been agreement, but our Association is open to many potential solutions that ensure adequate rural patrol while at the same time minimizing the financial impact on local property taxpayers. We believe the citizens of rural Maine deserve law enforcement coverage, and we further believe that imposing those costs on local property taxpayers is overly burdensome to Maine people. Our Association is open to any solution that ensures adequate levels of rural patrol without further burdening the local property taxpayer, including proposals like this bill that represents a step in the right direction.

What does LD 2109 do? Simply, this bill directs the Department of Public Safety, Bureau of State Police to maintain rural patrol services in all counties of the State at no less than 2020 staffing levels.

LD 2109 is a step forward, but more must be done. Our Association supports the premise of the bill, which codifies a baseline for Maine State Police positions dedicated solely to rural patrol. However, we believe the State should go further to restore many of the Maine State Police positions that previously were dedicated to rural patrol prior to 2020.

Unfilled rural patrol positions should get filled as quickly as possible. Separate from LD 2109, we understand that the Maine Legislature has authorized and funded a number of state trooper positions that remain unfilled for a variety of reasons. This is true of many law enforcement agencies, although not necessarily to the same level. Regardless, if these positions were filled, the Maine State Police would have more resources to provide rural patrol, and this would represent progress. We encourage the Committee to look closely at the root causes of unfilled positions and work with the Maine State Police on steps that can be taken to help relieve the hiring and retention backlog. This could include modifications to pay scales, work assignments, hiring requirements, or the training required through the Maine Criminal Justice Academy. We don't presume to have the answers to these questions, but to the extent steps can be taken from a state funding or policy perspective to help the Maine State Police with hiring and retention, such steps should be taken.

Conclusion. As I conclude, I must emphasize that county government values its partnership with the Maine State Police and the services they provide. If the answer to the question of gaps in rural patrol is to ultimately provide more support to the Maine State Police, then our Association supports that. Similarly, if the Legislature prefers the option of supporting county government to provide these services, we are obviously supportive of that option. Either way, something needs to be done to ensure that Maine people receive the rural patrol services

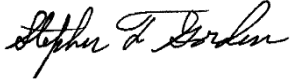
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they need without further burdening the local property taxpayer. Because county commissioners are responsible for the cost of the sheriff's office in every county, our members are very cognizant of the burden placed on local property taxpayers who pay for such services. With this in mind, we are motivated to very carefully consider all options, including options that provide relief to local property taxpayers. We appreciate the opportunity to provide testimony on this bill, and if you have questions or need additional information, please do not hesitate to let us know.

Respectfully submitted,



Stephen Gorden
Chair, Legislative Policy Committee

cc: Commissioner Richard A. Dutremble, President, MCCA
James I. Cohen, Verrill Dana, LLP, MCCA Legislative Counsel