



# Maine County Commissioners Association

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February 28, 2024

Sen. Margaret Rotundo, Chair  
Rep. Melanie Sachs, Chair  
Joint Standing Committee on Appropriations  
& Financial Affairs  
Maine State Legislature  
100 State House Station  
Augusta, ME 04333

Sen. Anne Carney, Chair  
Rep. Matt Moonen, Chair  
Joint Standing Committee on the Judiciary  
Maine State Legislature  
100 State House Station  
Augusta, ME 04333

Re: *MCCA Testimony in support of LD 2214, 2024 Supplemental Budget (Part A, p. A-89)  
regarding MCILS funding*

Dear Sen. Rotundo, Rep. Sachs, and Members of the Appropriations and Financial Affairs Committee;  
Sen. Carney, Rep. Moonen, and Members of the Judiciary Committee:

My name is Stephen Gorden. 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 in support of LD 2214, Supplemental Budget (*Part A, p. A-89*) regarding additional MCILS funding.

**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.

**County jails house individuals who are arrested and are awaiting trial.** County jails house a wide range of individuals. This includes individuals awaiting trial, individuals who are not released on bail, individuals sentenced for terms under 9 months – including consecutive sentences of under 9 months. The vast majority of the cost of operating county jails falls to local property taxpayers.

**Lack of indigent legal defense results in individuals languishing in county jails.** When an individual is arrested, they have a constitutional right to counsel. For indigent Mainers, these services are commonly provided by attorneys working through the Maine Commission on Indigent Legal Services (MCILS). However, when there is an inadequate number of attorneys available to provide the necessary services, it delays the ability of indigent Mainers to access the services of an attorney during the pre-trial period. This delay impacts the ability of such individuals to have bail hearings, and in numerous cases, indigent Mainers end up languishing in county jails at the expense of county taxpayers.

**MCCA Testimony re Supplemental Budget (Part A, p. A-89 – MCILS Funding)**

**February 28, 2024**

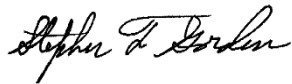
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**Further state support for MCILS is needed.** As has been well-reported, there are not enough lawyers participating in the MCILS system. As a result, MCILS has been working to fill the gap through new public defender positions. However, these needed positions can only move forward with state financial support.

**Our Association supports the Governor’s FY 24-25 Supplemental Budget proposal (Part A, p. A-89).** The Governor’s FY 24-25 Supplemental Budget proposal (*Part A, p. A-89*) includes \$2.6 million in additional funding for MCILS to establish several new attorney and staff positions. These essential new positions will help address the urgent need for additional attorneys to serve indigent Mainers, and as a result, will lessen the burden on county jails to house indigent defendants for extended periods of time. For this reason, we write in support of this portion of the Supplemental Budget.

**Conclusion.** We appreciate the opportunity to provide testimony on this proposal, 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