

# MAINE STATE PRISON BRANCH OF THE



# N.A.A.C.P



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Criminal Justice and Public Safety Committee  
State House Station 2  
Augusta, Me 04333

January 27, 2025

Re: L.D. 18 "An Act to allow the Department of Corrections to Increase Health Care Fees and Use the Proceeds from Those Fees to Offset the Costs of Client Medical Care Support Workers."

The Prison Branch of the NAACP  
Oppose LD 18

Dear Criminal Justice Committee,

The Department of Corrections has a responsibility to protect the rights of people who are incarcerated, as set forth in the "Equal Protection Clause" of the Maine Constitution and State Laws. LD 18 infringes upon those rights. Increasing the Health Care Fees from \$5.00 to \$25.00 on incarcerated people, who are poor and could not afford an attorney for legal representation, violates the "Equal Protection Clause" that the Department has sworn to protect. LD 18 is a harmful bill for people who are incarcerated. It has no probative value and no initiative to promote positive behavior that will lead to successful reentry back into the community. In fact, LD 18, continues the incarceration after a person is released, Sec. 1 (B) **"the State may bring a civil action in a court of competent jurisdiction to recover the cost of medical, dental, psychiatric or psychological expenses incurred by the State on behalf of a client incarcerated..." (Emphasis Added)**. Incurring a debt while incarcerated violates Statute 34-A M.S.R.A and Department's very own Disciplinary Policy 20.1. No inmate can incur a "Debt of any kind..." while in the custody in the Department of Corrections.

The harmful effects of LD 18 cannot be overemphasized:

- Women, who are incarcerated, will be affected three-fold by LD 18.
- Women in the MCC Women's Facility are struggling to pay the \$5.00-\$8.00 health care fees. Many of whom do not have a paid position.
- How does the Department expect the women to pay \$25.00 for each medical or dental visit, when there are no paid positions at MCC Women's Facility? (a few paid positions)
- Inmates at Maine State Prison are talking about refusing medical treatment and not seeking medical attention when they feel sick or have an injury. Which will lead to extensive health care issues that will cost taxpayer's and the Department more money in the end.

- With COVID now a part of our everyday lives, an inmate not seeking medical attention can be extremely injurious and unsafe for people who are incarcerated and people who work in a correctional facility.
- Even with a paid position at a Department of Corrections Men's Facility, inmates have difficulties paying the \$5.00 to \$8.00 health care fees.
- Inmates' victim's restitution is automatically deducted. (25%)
- Inmates are required to put 10% of their gross pay into a savings account (up to a minimum of \$1,000) to help with their release planning.
- Inmates are required to pay room and board for housing costs which saves Maine taxpayer's money.
- Inmates who are required to pay court sanctions fines, restitutions, and child support, the Department automatically deducts up to 75% from all funds received by the inmate.
- Commissary items are marked-up by 28% to 30%. In fact, effective on February 1, 2025, the price will increase again, on the already high priced items.
- How does the Department expect an inmate to pay \$25.00 for each medical and/or dental visit? When they are poor and have no reliable source of income.
- What formula did the Department use to calculate the increase of \$25.00?
- What formula did the Department use to determine \$15.00 as the baseline for indigence?
- Hospice Care is a non-profit volunteer service, if an inmate seeks to receive payment for their service, he or she should not volunteer for Hospice Care.
- The Department has other means in which they can offset the cost of Hospice Service: (1) Use the Compassionate Release Program; (2) Extend the Supervisor Community Confinement Program to inmates who have a serious medical condition, mental illness, or development disability.
- The Department can increase the eligibility for Supervisor Community Confinement Program to four (4) years to save taxpayer's money and the cut cost on their yearly budget.

Here's an example of the Department of Corrections' medical procedure and process:

- Inmates submits a sick call slip, gets called to medical to see the nurse. \$25.00
- Nurse schedules a visit to see Provider. \$25.00.
- If the Provider cannot treat the medical concern, the Provider recommends the inmate to see the Doctor. \$25.00.
- \$75.00 to address one medical issue.

Wherefore, LD 18 should not pass.

MSP NAACP Executive Committee