

# Maine PRISONER ADVOCACY Coalition



February 26, 2025

Senator Carney, Representative Kuhn and distinguished members of the Judiciary Committee:

My name is Jan Collins, I am Assistant Director of Maine Prisoner Advocacy Coalition (MPAC) an organization committed to ethical, positive, and humane changes in Maine's prison system.

I am here in support of the concept but opposed to the approach of LD 340 An Act Regarding Speedy Trials.

Justice delayed is justice denied. This phrase can be explored from two different perspectives.

From the perspective of the person charged, even a few days in jail can mean the loss of employment, housing and transportation. If employment is lost, payments cannot be made and all that has been held together with a steady paycheck falls apart.

Delaying justice has huge consequences for the “37% of US adults who reported in 2023 they would have trouble covering a \$400 emergency expense with cash, savings, or credit.”<sup>1</sup>

Delaying justice has additional consequences for gathering supporting evidence for prosecution or for establishing innocence - people forget, evidence trails grow cold, etc.

To truly address the court backlogs we must make sustainable, fair, and long lasting changes. Unfortunately, the timelines suggested are arbitrary and would not achieve the need for true justice.

In the 1970s and 1980s we started to imprison more people for **lesser** crimes.<sup>2</sup> More and more people were sent to jail and prison. In this legislative body more bills are heard to criminalize more actions or to felonize actions that have been considered misdemeanors in every session.

What can we do to correct the injustice created by delay?

1. The obvious answer is to address the need for more judges and more defense attorneys. This committee has worked diligently on doing so with limited success.
2. More important but maybe not as obvious, we should reverse the criminalization of public health issues. Substance Use Disorder is a medical problem and deserves a medical response, instead it is clogging our courts. This is also true of mental illness. There are now **ten times more individuals with Serious Mental Illness (SMI) in prisons and jails than there are in state mental hospitals.**<sup>3</sup>
3. Although it would not address the backlog in courts, we could mitigate some of the harm to individuals if we did away with cash bail for non-violent crimes. In some, if not most jails in Maine over 80% of the people in custody are awaiting trial. In a country that prides itself on the “Innocent until proven guilty” motto, we have an inordinate number of innocent people in jail. Illinois has had great success in doing away with cash bail. We should follow their example.

I urge the committee to continue its focus on fair and long-lasting changes to address the delay in justice and to avoid arbitrary timelines that would imbed injustice in statute.

Thank you.

--

Jan M. Collins  
*Assistant Director*  
Maine Prisoner Advocacy Coalition  
PO Box 360, E. Wilton, ME 04234  
207.578.8419

<sup>1</sup>[https://www.federalreserve.gov/publications/2024-economic-well-being-of-us-households-in-2023-expenses.htm#:~:text=Figure%201.,or%20its%20equivalent%20\(by%20year\)&text=Return%20to%20text-,Note:%20Among%20all%20adults.,from%2011%20percent%20in%202021.](https://www.federalreserve.gov/publications/2024-economic-well-being-of-us-households-in-2023-expenses.htm#:~:text=Figure%201.,or%20its%20equivalent%20(by%20year)&text=Return%20to%20text-,Note:%20Among%20all%20adults.,from%2011%20percent%20in%202021.)

<sup>2</sup>Eli Hager. **Debtors Prison, Then and Now:FAQ**. The Marshall Project. News. 02.24.2015. <https://www.justice.gov/usao-sdal/page/file/918356/dl> p. 4

<sup>3</sup>Torrey EF, Kennard AD, Eslinger D, et al. More mentally ill persons are in jails and prisons than hospitals: A survey of the states. Treatment Advocacy Center Arlington, VA; 2010.