



Maine County Commissioners Association

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

April 14, 2025

Sen. Ingwersen, Chair
Rep. Meyer, Chair
Joint Standing Committee on Judiciary
100 State House Station
Augusta, ME 04333

Re: ***Testimony of MCCA regarding LD 1416, An Act to Require the Department of Health and Human Services to Immediately Take Custody of Persons Sentenced to Mental Health Facilities That May Not Include County or Regional Jails***

Chair Ingwersen, Chair Meyer, and Members of the Joint Standing Committee on Health and Human Services:

On behalf of the Maine County Commissioners Association, we appreciate the opportunity to provide testimony to this Committee in support of LD 1416. We are deeply concerned about the current practice of holding individuals in county jails, sometimes for extended periods of time, when those individuals have been deemed incompetent and committed to the custody of the Department of Health and Human Services (DHHS).

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.

What does LD 1416 do? LD 1416 requires the Department of Health and Human Services (DHHS) to immediately take custody of individuals who have been committed to mental health facilities, ensuring they are not left in county or regional jails. The bill aims to address the inhumane practice of holding individuals found to have serious mental illness from being held in county jails due to a lack of available beds or facilities within the DHHS system.

Discussion. When a judge has made a commitment to DHHS custody based on the competence of an individual to stand trial, the individual should be immediately transferred to an appropriate mental health facility. However, due to the lack of available beds and mental health services, many individuals are left to languish in county jails, often for prolonged periods of time.

This situation is both inhumane and a violation of the legal commitment made by the courts. It is unacceptable to leave people—often individuals who are already suffering from serious mental health

Testimony of MCCA re LD 1416

April 14, 2025

Page 2

conditions—locked in county jails which are not set up to provide the specialized care they need. County jails simply are not configured or staffed to provide the level of care available through a DHHS facility, particularly in the case of individuals who may be violent to themselves or others. In addition, county jails cannot compel individuals to take medications or provide the mental health care that is required for their condition.

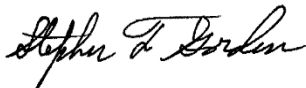
Furthermore, this situation puts an undue burden on county jails, with limited mental health staff often overwhelmed by a small number of individuals who require intensive care and supervision. These individuals consume a disproportionate percentage of resources, making it difficult for jail staff to address the needs of other inmates and manage day-to-day operations effectively.

As a final note, we need to talk about financial resources. The vast majority of county jail operations are funded by local property taxpayers, and state support proposed in the current biennial budget would involve state support at under 20% of total operating costs. The unfairness of this imbalance is heightened when one considers issues like this where individuals who should be in state custody are instead committed to county facilities at the tremendous expense of the local taxpayer. This situation is one more reason why increased state support for county jails is essential – and fair.


Overall, LD 1416 is a necessary step to ensure that individuals who have been committed to DHHS care are placed in the proper State of Maine facility where they can receive the care and treatment they need. This bill will help alleviate the financial and operational strain on county jails, ensure that individuals receive appropriate mental health care they need and deserve, and restore respect for the court's commitment orders.

Conclusion. For these reasons, MCCA urges the Committee to vote **Ought to Pass** on LD 1416. If you have questions or need additional information, please do not hesitate to let us know.

Respectfully submitted,



Stephen Gorden
Co-Chair, Legislative Policy Committee, MCCA



Jean-Marie Caterina
Co-Chair, Legislative Policy Committee, MCCA

cc: Commissioner Andre Cushing, President, MCCA
James I. Cohen, Verrill Dana, LLP, MCCA Legislative Counsel