



MAINE STATE PRISON BRANCH

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Comments on LD 648 – Post-Hearing Submission

Submitted by: The Maine State Prison Branch of the NAACP

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Understanding that the deadline to submit formal testimony for LD 648 has passed, the Maine State Prison Branch of the NAACP respectfully submits the following comments in response to key questions and concerns raised during the public hearing held on April 23, 2025.

Our intent is to support an honest, evidence-informed dialogue about the role of supervised community confinement and broader correctional reform in Maine. LD 648 presents a meaningful opportunity to align our practices with rehabilitation, equity, and fiscal responsibility.

1. Eligibility and Sentence Integrity

A recurring question during the hearing was whether LD 648 compromises the integrity of a court-imposed sentence. It does not. Supervised Community Confinement (SCCP) **does not change the length of a person's sentence**; it simply changes where a portion of that sentence is served—from prison to a structured, monitored setting in the community.

This approach mirrors parole systems in other states, with comparable eligibility criteria, risk assessments, and supervision conditions. Public safety is not undermined; in fact, structured reintegration **enhances** it.

2. Public Safety and Supervision After Release

Some expressed concerns about releasing individuals without supervision. Ironically, this is **already happening** under the current system. For example, Albert Flick, who served over 25 years for murder, was released **without any post-release supervision**. He went on to reoffend.

If Mr. Flick had been placed in SCCP, he would have been monitored and likely received mental health treatment. LD 648 helps fill this dangerous gap by ensuring individuals are *not* simply released and forgotten, but instead supported and watched during their return to society.

3. Equal Protection Under the Law

There is a significant **Fourteenth Amendment** concern with the current probation and parole statute. Maine abolished parole in 1976. However, someone convicted in a state that still has parole can transfer their parole supervision to Maine. Meanwhile, a person convicted of a comparable crime *in Maine* is not eligible for parole or equivalent supervision. This creates a disparity—two individuals convicted of similar crimes receive unequal treatment based solely on where they were sentenced.

LD 648 helps to resolve this inequality by providing structured supervision for long-term incarcerated Mainers.

4. Good Time Policy and Its Mischaracterization

It was mentioned that some incarcerated individuals are seeking early release through good time. However, under the 2004 Good Time Code, individuals convicted of serious offenses such as murder, domestic violence, or sexual assault is eligible for **only 3–5 days of good time per month**. The notion that inmates are quickly cycling out due to good time is inaccurate and misleading.

Additionally, serving 2/3 of a sentence is the closest approximation to “day for day” that currently exists in our system. This already reflects a loss of earned liberty, and LD 648 does not undermine this—it simply offers a structured path for those who have demonstrated readiness for reintegration.

5. Cost and Fiscal Responsibility

It currently costs the Department approximately **\$115,000 to \$117,000 per year** to incarcerate one individual. In contrast, the cost to supervise someone in the community—through probation, parole, or SCCP—ranges from **\$40,000 to \$50,000** per year. That is a savings of over 50%.

Furthermore, the Maine State Prison has spent upwards of \$20 million on staff salaries (much of it in overtime), despite keeping residents locked in cells for **20 hours a day**. This is not only fiscally irresponsible—it’s contrary to any genuine rehabilitative model.

6. A Flawed Model: Rehabilitation in Name Only

Maine touts its “Maine Model of Corrections,” yet in practice, the system does little to support reintegration advancement. People who are eligible for the Supervised Community Confinement Program are often denied, despite having less than 24 months to complete their prison term. Individuals who pursued higher education or meaningful transformation are often denied SCCP—this evident by the low number of participants in the program.

LD 648 offers hope to those working hard to change. It opens a door to demonstrate readiness and accountability in a way that pure confinement never can.

7. Reentry and Maine’s National Ranking

Maine is currently **ranked last in the country** for reentry success. This should concern everyone. The state continues to embrace punitive correctional models while ignoring best practices in rehabilitation and public safety. Holding people accountable does not mean warehousing them. True corrections must correct—not simply contain.

Change the mind, and you change the behavior. LD 648 supports this philosophy by offering monitored, restorative reentry rather than a cliff-edge release.

8. Crime Rates and Harsh Sentencing

Since the abolition of parole in 1976, Maine’s crime rate has **not** significantly decreased. It has fluctuated—like every state’s—based on social, economic, and community factors. What has increased, however, is the **cost**: financially, socially, and morally.

Maine now has some of the **harshest sentencing policies** in the country, and yet our outcomes are no better than states with rehabilitative systems. LD 648 will not eliminate accountability—but it will introduce **balance**.

Conclusion

The Maine State Prison Branch of the NAACP urges policymakers to support LD 648 as a necessary and overdue correction to our current system. SCCP represents a bridge between incarceration and reintegration—a tool that enhances safety, reduces costs, and upholds justice.

We ask you to believe in the human capacity for growth. We ask you to believe in rehabilitation—not just in word, but in law.

Respectfully submitted,
Foster Bates, MSP NAACP Branch President
