

## **Testimony in support of LD 1962 to the Committee on Criminal Justice and Public Safety**

January 7, 2026

Senator Beebe-Center, Representative Hasenfus and distinguished members of the Committee:

My name is Sarah Johnson and I am a resident of Sanford.

I am writing in support of LD 1962, An Act to Establish the Corrections Ombudsman. I have worked in manufacturing for 40 years, volunteered as an educator in the carceral system for 17, and was a full time educator in a prison in the southwest for 4 years. My professional experience has always confirmed that safety, efficiency, productivity and process improvements are all data driven. Therefore, this testimony will focus on data and information related to current challenges facing the Maine Department of Corrections and how this legislation may help address them.

Maine has a number of departments with some form of oversight office or Ombudsman. These include the Public Access Ombudsman, Child Welfare Ombudsman, and the Independent Maine Long-Term Care Ombudsman Program. These offices are "a successful and valuable guarantor of citizens' rights. By impartial and independent investigation of citizens' complaints, they provide an informal and accessible avenue of redress.<sup>1</sup>" It is **especially important to have Ombudsman offices for departments serving vulnerable populations**, as Maine does for children and our long term care populations. **Incarcerated residents are also a vulnerable population** and by instituting an Ombudsman for the Department of Corrections we will be creating and supporting safer environments for both the incarcerated populations and the staff. Part of the **Maine Department of Corrections Mission statement is to "make communities safer by reducing harm through supportive intervention". An Ombudsman office would do just that.** An independent professional office whose mission would be to achieve positive outcomes and policy changes meet their **goals for safety of staff and incarcerated individuals**. Performing their main duties of confidential investigation and providing solution recommendations will **result in saving money and improving prison safety**. This will allow for improvement with the implementation of all the educational and rehabilitation programs the DOC offers, as well as more public knowledge about the Maine Department of Corrections rehabilitative philosophy known as the "Maine Model". **The Office of Ombudsman would fully support the Maine Model philosophy and Maine Department of Corrections mission statement.**

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<sup>1</sup> <https://www.usombudsman.org/public-sector-ombudsman/>

As described by the [United States Ombudsman Association](#), “The Ombudsman is a paradox, being both powerful and powerless at the same time. They can investigate complaints, choose which are the most important and initiate investigations without complaints. They can determine whether a complaint is justified and seek remedies for it. They can compel people to talk to them and produce records, subject to the protections witnesses have in court. But they cannot make an agency do anything. **They can, however, make their reports public.**” As noted in a 2024 [FAMM report on Improving Transparency and Accountability in Prisons Through Independent Oversight](#), “Many of the dangerous conditions that impact people who are incarcerated similarly threaten the health, safety, and wellbeing of people who work in prisons. **Inspections can help protect correctional staff by documenting understaffing, dangerous facilities, inadequate equipment, and other safety hazards.**<sup>2</sup>

Research suggests that unsafe prisons increase recidivism.<sup>3</sup> Oversight can help ensure that safety issues are identified and addressed, thereby potentially reducing recidivism and making communities safer.” Safer prisons allow for more educational and rehabilitative programming, which also reduces recidivism and benefits communities.

The report also notes the benefits of crafting legislation and determining budget allocations. “Lawmakers pass laws that impact prison operations and decide how much money to allocate to their state’s Department of Corrections. To do this effectively, lawmakers need to know what is actually happening in their state’s prisons, but they cannot regularly monitor conditions at every prison across the state. **Lawmakers are able to make more informed policy and funding decisions with insight provided by an oversight body** that conducts routine inspections, investigates allegations of systemic problems, collects and analyzes data, reports its findings, and makes recommendations.<sup>4</sup>”

Another budget and transparency concern is that Maine currently has a contract with the non-profit American Correctional Association. The Federal Bureau of Prisons recently cancelled their ACA contract after a [Congressional investigation](#) uncovered numerous [conflicts of interest and fraudulent methodologies](#). The Office of Ombudsman could replace the ACA and provide independent and transparent reporting that is not dependent on a contract with MDOC.

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<sup>2</sup> See, for example, the Department of Justice Evaluation and Inspection Divisions’ recent inspection of FCI-Waseca <https://oig.justice.gov/sites/default/files/reports/23-068.pdf>.

<sup>3</sup> See e.g. <https://www.tandfonline.com/doi/abs/10.1080/07418825.2011.597772>; <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0141328>.

<sup>4</sup> <https://famm.org/wp-content/uploads/2024/03/Benefits-of-prison-oversight.pdf>

Maine taxpayers have paid settlements in a number of lawsuits, and though FOAA requests have been submitted, complete details on all settlements as well as legal costs to taxpayers for these and other suits are not well documented. Other settlements have been needed to change policies that clearly should have been in place already. Some of the settlements are:

- **\$400,000 for a staff discrimination settlement**

<https://www.newscentermaine.com/article/news/state/former-prison-guard-settles-discrimination-suit-against-dept-of-corrections-gender-sexual-orientation/97-afb516d0-efd3-4d59-a483-9d6e18711d3c>

- **\$115,000 for excessive pepper spray**

<https://www.prisonlegalnews.org/news/2023/jan/1/115000-settlement-excessive-pepper-spraying-maine-prisoner/>

- **Unknown amount for use of solitary confinement that also resulted in policy changes**

<https://www.mainepublic.org/courts-and-crime/2021-08-27/maine-man-held-nearly-2-years-in-isolation-wins-settlement-with-corrections-department>

- **\$225,000 for a wrongful death lawsuit of a teenager**

<https://www.pressherald.com/2021/12/23/suit-settled-over-trans-teens-suicide-at-detention-center/>

- **Medical treatment provided for people suffering from chronic hepatitis C**

<https://www.mainepublic.org/health/2020-10-01/maine-expands-chronic-hepatitis-c-treatment-for-prisoners-after-lawsuit-settlement>

- **Current lawsuit relating to rights violations during pregnancy**

<https://www.pressherald.com/2025/02/19/woman-sues-maine-corrections-department-for-violating-rights-during-pregnancy/>

If an Office of Ombuds had been available to support safe reporting and impartial review, some of the underlying issues that led to the lawsuits might have been identified and addressed earlier. This could have reduced costs, preserved staff time and focus, and, most importantly, lessened human harm.

Have members of the committee had opportunities to speak directly with staff and incarcerated residents about policy concerns, health care access, or the grievance process? These conversations would provide valuable context in advance of the work session on LD1962.

As for budget concerns, the **Maine Department Of Corrections is the largest recipient of any state agency of overtime pay.**

This data compiled by state reports cited by [Maine Open Checkbook](#) shows that in 2024, 26% of Maine's overtime pay was for the Department of Corrections, when the DOC represents 8% of state employees and 8% of Total Regular wages.

		Regular Wages		Overtime			
2024 Data	<b>Maine Total</b>	<b>851,280,182.60</b>		<b>46,391,753.58</b>			
	Total State Employees		16,732.00				
	<b>MDOC Total</b>	<b>68,485,923.06</b>		<b>11,530,968.53</b>			
	Total MDOC Employees		1,378.00				
	<b>MDOC % of Maine</b>	<b>8.05%</b>		<b>24.86%</b>			
	MDOC % of State Employees		8.24%				
	Location	Total Regular Wages	% of MDOC Total	Total Overtime	% of MDOC OT	Employees	% of MDOC Employees
	Central Office	16,147,267.96	23.58%	731,093.18	6.34%	257.00	18.65%
	MCC	15,719,408.81	22.95%	2,936,695.29	25.47%	338.00	24.53%
	Charleston (MountainView)	9,440,364.68	13.78%	1,759,875.99	15.26%	163.00	11.83%
	Longcreek	6,419,430.95	9.37%	1,174,817.73	10.19%	186.00	13.50%
	MSP (and Bolduc?)	19,736,308.41	28.82%	4,790,128.45	41.54%	416.00	30.19%
	Downeast	1,023,142.25	1.49%	138,357.89	1.20%	18.00	1.31%
	<b>TOTAL</b>	<b>68,485,923.06</b>	<b>100.00%</b>	<b>11,530,968.53</b>	<b>100.00%</b>	<b>1,378.00</b>	<b>100.00%</b>

Compare this to a department that has an Ombudsman like the Department of Health and Human Services. **DHHS has over 3 times the employees, but a much smaller percentage of overtime pay.**

		Regular Wages	Overtime					
2024 Data	<b>Maine Total</b>	<b>851,280,182.60</b>	<b>46,391,753.58</b>					
	Total State Employees		16,732.00					
	<b>MDOC Total</b>	<b>68,485,923.06</b>	<b>11,530,968.53</b>					
	Total MDOC Employees		1,378.00					
	<b>MDOC % of Maine</b>	<b>8.05%</b>		<b>24.86%</b>				
	MDOC % of State Employees		8.24%					
	<b>DHHS Total</b>	<b>178,492,061.72</b>	<b>4,726,067.79</b>					
	Total DHHS Employees		4,309.00					
	<b>DHHS % of Maine</b>	<b>20.97%</b>		<b>10.19%</b>				
	DHHS % of State Employees		25.75%					
<b>MDOC</b>								
Location	Total Regular Wages	% of MDOC Total	Total Overtime	% of MDOC OT	Employees	% of MDOC Employees		
Central Office	16,147,267.96	23.58%	731,093.18	6.34%	257.00	18.65%		
MCC	15,719,408.81	22.95%	2,936,695.29	25.47%	338.00	24.53%		
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<b>TOTAL</b>	<b>68,485,923.06</b>	<b>100.00%</b>	<b>11,530,968.53</b>	<b>100.00%</b>	<b>1,378.00</b>	<b>100.00%</b>		
<b>DHHS</b>								
Location	Total Regular Wages	% of DHHS Total	Total Overtime	% of DHHS OT	Employees	% of DHHS Employees		
DHHS	178,492,061.72	84.09%	4,726,067.79	77.04%	3,581.00	83.11%		
Riverview PC	16,900,314.60	7.96%	718,582.14	11.71%	371.00	8.61%		
Dorothea Dix PC	16,880,321.51	7.95%	689,711.24	11.24%	357.00	8.28%		
<b>TOTAL</b>	<b>212,272,697.83</b>	<b>100.00%</b>	<b>6,134,361.17</b>	<b>100.00%</b>	<b>4,309.00</b>	<b>100.00%</b>		

That is only one of many budget concerns that taxpayers have a right to access information on. Transparency of the budget process and use of funds is especially critical now when so many Maine counties and communities are in financial hardship. **Good stewardship of tax dollars would be an important focus of the Ombudsman Office.**

The budget and excessive overtime issues bring to light safety and well-being concerns for staff as well. Correctional Officers responsibilities go far beyond maintaining security. They are expected to manage medical and mental health crises without having the training, authority, or resources of healthcare professionals.

As noted in a [National Institute of Justice report](#): “**COs also disproportionately experience higher rates of physical health problems**, such as chronic neck, back and knee injuries; heart disease; diabetes; high cholesterol; and hypertension, compared with crisis counselors and law enforcement personnel. **The mental and physical strain of the profession can lead to even graver consequences.** In a study of more than 3,000 corrections professionals, 27 percent of officers reported symptoms of post-traumatic stress disorder. Worse still, the suicide rate for COs is 39 percent higher than that of the general working-age population.”<sup>5</sup>

**A work environment this stressful should be one with the least amount of overtime, not the most.**

There are many reasons for supporting a law that will increase the transparency of Maine’s Department of Corrections (DOC), decrease cost and improve the health and safety of everyone. DOC responsibilities of caring for a vulnerable population are challenging on every level, and the Ombudsman Office is meant to support their work. Working with incarcerated individuals who are mentally ill, addicted to substances or simply people who have lived difficult lives before they even came into prison, is very challenging. The DOC has one of the highest levels of employee overtime, and DOC lawsuits are being settled with taxpayer dollars that could have been used in supportive operations and programming. An Ombudsman can work confidentially to identify some of the problems as well as make recommendations for improvement to the DOC and the legislature. This will be better for incarcerated people, for the DOC and its employees and for Maine Communities. I ask that you vote “Ought To Pass” on LD 1962.

Thank you for your time and consideration.

Sarah Johnson

Sanford, Maine.

<https://www.usombudsman.org/public-sector-ombudsman/>

<https://famm.org/wp-content/uploads/2024/03/Benefits-of-prison-oversight.pdf>

<https://opencheckbook.maine.gov/transparency/index.html>

<https://nij.ojp.gov/topics/articles/risky-business-part-1-2-series-correctional-officer-wellness>

<https://www.warren.senate.gov/imo/media/doc/The%20Accreditation%20Con%20-%20December%202020.pdf>

<https://www.warren.senate.gov/imo/media/doc/2024.02.27%20Letter%20to%20BOP%20re%20ACA.pdf>

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