



Maine Sheriffs' Association

"One Team, One Mission"

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April 19, 2023

L.D. 1603 – An Act To Implement the Recommendations of the Committee to Ensure Constitutionally Adequate Contact with Counsel

Senator Carney, Representative Moonen, and esteemed members of the Joint Standing Committee on Judiciary, my name is Ken Mason. I am the Sheriff of Kennebec County and here on behalf of the Maine Sheriffs Association.

Maine sheriffs discussed this bill and those present voted to oppose LD 1603 – An Act To Implement the Recommendations of the Committee to Ensure Constitutionally Adequate Contact with Counsel.

Maine sheriffs recognize that inmates housed in our regional and county jails have the right to confidential contact with counsel and endeavor to provide that access responsibly. Our opposition to this bill is specific to language that would add burdens to already stressed systems within our jails. As written, L.D. 1603 would require each regional and county jail to designate private and secure space for inmates to view and store materials related to criminal proceedings to include video and audio materials within eighteen months of the bill's passage.

Maine's fifteen jails vary widely, and this mandate may be feasible to some existing facilities but not to all. Sheriff Dale Lancaster, our Association's president, was a member of the committee that brought forward these recommendations and he expressed concerns over the inability for some jails to adhere to this mandate. Maine sheriffs urge members of this committee to acknowledge that some jails may be unable to meet this requirement by removing language in the bill that requires jails to identify and provide this space.

There are many factors to consider such as safety of other inmates, availability of staff to coordinate accessing such a space, and availability of space to store materials. We know our jails are understaffed by 93%. Passage of this bill would add more work to those staff members who are managing the daily operations that house an average of 1,700 inmates on any given day.

Additionally, Maine Sheriffs oppose the addition of another member to the Maine Criminal Justice Board of Corrections. The board is currently comprised of 18 members, which is an extraordinarily large board that is charged with creating and providing training for criminal justice personnel. While this recommendation is included in the report from the committee, it is important to note that this particular item was one of several that was not passed unanimously.

Finally, we wish to commend Senator Carney for her work on this committee. The committee was run with focus and respect. While we do not agree on all facets of the report, we do appreciate the process.

Thank you for the opportunity to share the concerns of Maine's sheriffs. We urge you to vote Ought Not to Pass on L.D. 1603. I am happy to answer any questions you may have.

Sincerely,
Sheriff Ken Mason
Maine Sheriffs' Association