



Maine Sheriffs' Association

"One Team, One Mission"

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April 25, 2023

L.D. 1626 – An Act to Standardize Requirements Between Boards of Visitors For County Jails and Department of Corrections Correctional Facilities

Senator Beebe-Center, Representative Salisbury, and esteemed members of the Joint Standing Committee on Criminal Justice, my name is Joel Merry. I am the Sheriff of Sagadahoc County and here on behalf of the Maine Sheriffs Association.

Maine sheriffs discussed this bill, and our position is Neither For Nor Against L.D. 1626 – An Act to Standardize Requirements Between Boards of Visitors For County Jails and Department of Corrections Correctional Facilities.

Jails' boards of visitors are a valued and respected tool that sheriffs recognize as strong advocates for Maine's county and regional jails. Any efforts to make these entities stronger should be considered. There are several areas within L.D. 1626 that Maine sheriffs would like to modify and I'm grateful for the opportunity to share these observations with members of the committee.

The composition of correctional boards of visitors across the state varies with one exception as all members are volunteers. This is critical to keep in mind when imposing mandates such as including a medical or psychiatric professional. According to The Maine Policy Institute, "In the five years preceding the pandemic, Maine lost half of its psychiatrists." The American Association of Medical Colleges conducted a survey in 2019 that revealed that 30% of rural physicians in Maine are aged 60 or older. This becomes especially problematic when L.D. 1626 includes language that indicates failure to comply may result in withholding of critical state funding. Not one sheriff is in opposition to including a medical professional or psychiatrist on their board of visitors, but these seats are filled by volunteers that is sometimes challenging to fill.

L.D. 1626 also removes the provision for two counties to share a board of visitors. If this bill is passed as written, four counties would automatically be negatively impacted by removal of this language. Knox County and Waldo County currently share a board of visitors. Lincoln County and Sagadahoc County share a regional jail and therefore, we have one board of visitors for the Two Bridges Regional Jail. We ask that this removal be reinstated.

Under the section of this bill that specifies duties, each board of visitors is required to provide an annual report to those who are responsible for the oversight of jails such as this committee. It's important to remember that county commissioners are responsible for the fiscal operations for the county only. While sheriffs encourage transparency, the provision that mandates that boards of visitors provide reports to county commissioners appears to extend beyond the scope of the

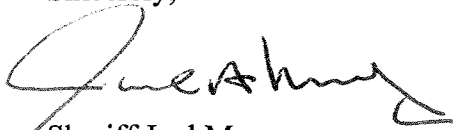
commissioners' duties. County and regional jail operations are not within the purview of county commissioners, and we ask that this language be removed from the bill.

It's also a good time to note the importance of proper language when crafting statute. Municipal law enforcement agencies are correctly identified as departments. As an elected official, a sheriff is elected to office every four years. To correct this bill as written, we would ask that each reference to 'sheriff's department' be corrected to 'sheriff's office'.

Finally, every member of this committee has graciously participated in discussions about funding Maine's county and regional jails. Withholding state funding from our jails for being unable to meet these standards defies reason. We ask that Section 1, part 7, be removed altogether from this proposed legislation.

Thank you for taking the time to consider the Maine sheriffs' concerns and suggestions regarding L.D. 1626. I welcome any questions you may have, and we plan to have a sheriff present during the work session.

Sincerely,

A handwritten signature in black ink, appearing to read "Joel Merry", with a stylized flourish at the end.

Sheriff Joel Merry
Past President-At-Large
Maine Sheriffs' Association