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RANDALL A. LIBERTY
COMMISSIONER

TESTIMONY OF

**RANDALL A. LIBERTY, COMMISSIONER
DEPARTMENT OF CORRECTIONS**

In Support of

LD 720 An Act to Implement Certain Recommendations of the Commission to Examine Reestablishing Parole

**Before the
Committee on Judiciary
May 15, 2023**

Senator Carney and Representative Moonen and other distinguished members of the Committee on Judiciary, I am Randall Liberty, Commissioner of the Maine Department of Corrections providing testimony in support of Senator Hickman's amendment to LD 720

As a member of the Commission to Examine Reestablishing Parole, I can tell you there was extensive work done over the three months, five meetings, and countless emails, includes dozens of requests for information to my department

I am proud to be associated with the committee, even if the State's position opposing the reestablishment of parole has not wavered

One of the topics that came up often during the Commission was that of the MDOC's Supervised Community Confinement Program (SCCP). The purpose of SCCP is to provide a means to early release of adult facility residents into the community prior to their release date. Residents transferred to supervised community confinement are still considered to be in the legal custody of the Department while in the program. The place of confinement is in the community, rather than in a department facility. SCCP allows residents to live, work, and be active in their communities, with supervision and stipulations, while finishing the remainder of their sentence.

Part of the ongoing opposition to reinstating parole is because the MDOC already has a system in place to allow rehabilitated residents to release to the community prior to their sentence ending the Supervised Community Confinement Program (SCCP).

The amendment Senator Hickman is offering will allow more residents access to SCCP. A cursory review of residents who may be considered to have a "worsening prognosis that is likely to result in a terminal or severely incapacitating medical condition," identifies about 40 residents, some of whom live in Assisted Living Units within the MDOC who could become eligible for early release under the passage of this bill.

The amendment to this bill aligns with the changes to SCCP made into law last year, during the 130th, after the passage of Speaker Talbot Ross's LD 1593 *An Act to Provide Pathways to Rehabilitation, Reentry, and Reintegration*.

The changes to SCCP borne out of the passage of this bill included

- Changing the sentence length eligibility for SCCP from 18 months to 2 years
- The ability for a resident to go on SCCP at 30 months (from 24 months) if probation has a case load of less than 90 clients
- Implementation of established criteria and process for determining eligibility (Section 2-A)



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- Inclusion of terminally ill residents to be released to SCCP without having to meet other criteria (Section 10)
- Require the MDOC to better inform residents of application process for SCCP
- Require the MDOC to track SCCP applications, approvals, denials, completions

With the passage of the new law in June 2021, MDOC has seen a notable uptick in SCCP applications and placements

We look forward to speaking further during the work session and welcome any questions

Thank You,

Randall A. Liberty, Commissioner
Maine Department of Corrections