



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF CORRECTIONS
111 STATE HOUSE STATION
AUGUSTA MAINE
04333-0111

RANDALL A. LIBERTY
COMMISSIONER

TESTIMONY OF

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

In Opposition to:

LD 1978, An Act to Enact the Reentry Success and Earned Time Act

Senator Beebe-Center, Representative Salisbury and distinguished members of the Joint Standing Committee on Criminal Justice and Public Safety, I am Randall Liberty, Commissioner of the Maine Department of Corrections (DOC) providing testimony in qualified opposition to LD 1978, An Act to Enact the Reentry Success and Earned Time Act.

As the committee knows, our team at Maine Department of Corrections has put a significant amount of work into the design and implementation of the Maine Model of Corrections. Our dedication to providing a robust set of vocational and educational programming has been an integral part of that effort. The ever-expanding opportunities for residents to pursue education, learn a new trade, earn professional licenses and certifications, take on employment within the facilities and participate in work release ensures that residents have the opportunity to gain both professional skills and life skills, and allows residents to earn an income to save money for their release.

Some of our vocational programs include, but are not limited to, welding, culinary arts, automotive repair, construction trades, canine training, gardening, and commercial driving, many of which combine classroom and hands-on training. We have over eleven currently licensed apprenticeship programs and many more apprenticeship programs currently in process with Maine Department of Labor. Our apprenticeship programs are run in concert with the Maine Department of Labor, meaning residents are part of a formal, nationally recognized paid program that results in proficiency and certification.

On the education side, we have 400 seats available for students to be working on their HiSET. We've had 280 students enrolled in college programs over 2023 – that number includes students who have graduated, discontinued, or have been released. We currently have 257 students enrolled in post-secondary programs (both matriculated and non-matriculated) and that includes 6 master's degree students and 2 doctoral students.

These are opportunities we work hard to ensure are available for all residents, and they are an essential part of setting up residents for success upon reentry to the community. The incentives for participation are clearly supported in the high rates of participation we see across facilities, as these opportunities set residents up for successful reintegration and assist in building a track record of rehabilitation that supports their ability to qualify for higher privileged living arrangements within our system. It's also worth noting that, in addition to the educational and vocational opportunities, the department provides a robust set of evidence-based treatment programming, a snapshot of which is provided on the attached excerpt from our December 2023, Adult Data Report.

Our understanding of the proposal under this bill, as it was originally envisioned, was to create an "earned-time credit program" that would accelerate the pathway for residents to minimum custody and the Supervised Community Confinement Program (SCCP). The idea would be to incentivize participation in our programming opportunities by providing "earned-time credits" for successful completion of programming. Such credits would be added on top of the



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good-time credits already available to residents under statute and reduce the amount of time a resident would have to serve before being eligible to transition to minimum custody or apply for SCCP.

We are opposed to that kind of proposal because we believe the current system provides the right incentives to encourage participation in programming and the right amount of time under supervision to properly evaluate whether a person is ready for reclassification to minimum or community custody. The ability to participate in programming available to those classified as minimum or community custody, like work release or SCCP, is a high level of privilege that requires a great deal of trust built upon an established record of success in our system, and our high levels of success in those programs speaks to the fact that we choose the right individuals more often than not. See the attached December 2023 SCCP Program Data for completion rates over the last three years.

We feel that the current system provides the right pathway for success, allowing residents time to complete their programs and our case managers time to properly evaluate their progress. Our current system also strikes the right balance between incentives for residents and respect for those that have been affected by crimes, providing meaningful opportunities for work, education and job training inside our facilities, work-release opportunities for those in minimum custody, and early reintegration opportunities through SCCP, all without undermining truth in sentencing.

That being said, it is also our understanding that the bill sponsor is interested in pivoting away from the original proposal in order to, instead, work with our department to pursue a resolve directing an analysis on the impact of programming and incentive structures within our system and the resources that would be necessary to continue expanding our program offerings. Those conversations have already begun, and we are very interested in continuing to work with the bill sponsor to see if we can come to agreement around a proposal to conduct such an analysis. We are optimistic about the efforts that have been made so far and, for that reason, we hope the committee will allow us the time to do that work.

This concludes my testimony.

I am happy to answer questions.

Randall A. Liberty
Commissioner
Maine Department of Corrections



Maine Department of Corrections

December 2023 Supervised Community Confinement Program Data

The purpose of the Supervised Community Confinement Program (SCCP) is to provide a means of successful reentry of adult facility residents into the community. 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. Participation in this program is a privilege which may be afforded to eligible residents who meet the criteria.

Current Participants by Responsible Facility

	Male	Female
Bolduc Correctional Facility	28	0
Downeast Correctional Facility	4	0
Maine Correctional Center	1	0
Maine State Prison	1	0
Mountain View Correctional Facility	25	0
Southern Maine Women's Reentry Center	0	20
Total	59	20

Current Participants by Community Region

Region 1	14
Region 2	35
Region 3	30
Total	79

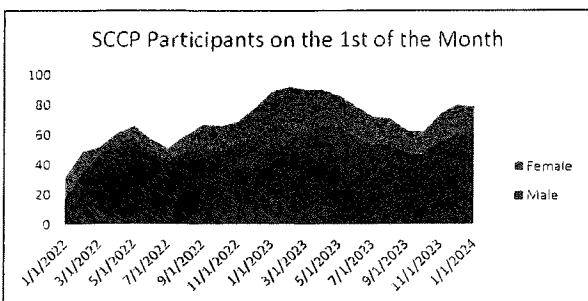
Race & Gender Demographics

Race	SCCP Participants		DOC Population	
	M	F	M	F
Asian	0.0%	0.0%	0.5%	0.5%
Black or African American	8.5%	0.0%	11.4%	4.6%
Native American	1.7%	5.0%	3.0%	2.6%
Native Hawaiian	0.0%	0.0%	0.0%	0.0%
Two or More Races	0.0%	0.0%	1.8%	0.0%
Unknown	0.0%	0.0%	2.4%	0.5%
White	89.8%	95.0%	81.0%	91.8%
Total	100%	100%	100%	100%

SCCP Applications in Process	68
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SCCP Investigations Completed

2022 Total	226
2023 Total	281
Dec-23	28



		2021	2022	Dec-23	2023
Male	SCCP Placements	53	118	10	110
	SCCP Completions	34	64	6	94
	Violations (return to custody)	3	18	4	22
	Other*	0	1	1	3
Female	SCCP Placements	34	36	2	39
	SCCP Completions	35	18	1	30
	Violations (return to custody)	4	6	0	9
	Other*	0	2	0	0
All	SCCP Placements	87	154	12	149
	SCCP Completions	69	82	7	124
	Violations (return to custody)	7	24	4	31
	Other*	0	3	1	3

*No violation but did not complete. Excluded from below completion rates.

2021 Successful SCCP Completion Rates

All Clients Success Rate	91%
Male Success Rate	92%
Female Success Rate	90%

2022 Successful SCCP Completion Rates

All Clients Success Rate	77%
Male Success Rate	78%
Female Success Rate	75%

2023 Successful SCCP Completion Rates

All Clients Success Rate	80%
Male Success Rate	81%
Female Success Rate	77%

Violations in 2021

Total SCCP Violations	7
Violation Entered in CORIS	1
Discipline Entered into CORIS	3

Violations in 2022

Total SCCP Violations	24
Technical Violation Entered in CORIS	7
Discipline Entered into CORIS	11

Violations in 2023

Total SCCP Violations	31
Technical Violation Entered in CORIS	6
Discipline Entered into CORIS	9



Maine Department of Corrections December 2023 Data Reporting

2.2 DOC Programming by Type Active and waitlisted numbers are non-duplicated in each treatment or programming area, as of January 4, 2024.

Substance Use Disorder Treatment "Tier 2" outpatient level treatment services:

		Active	Waitlisted
Tier 2	Female	39	40
	Male	113	268

Substance Use Disorder Treatment "Tier 1" residential level treatment services:

		Active	Waitlisted
Tier 1	Female	2	5
	Male	27	28

Medications for Substance Use Disorder (MSUD) treatment services:

		Active	Waitlisted
MSUD	Female	121	3
	Male	730	49

Education Programming, excluding college degree programs:

		Active	Waitlisted
Education Programs	Female	15	6
	Male	186	119

College, and College Degree Programs:

		Active	Waitlisted
College	Female	46	2
	Male	134	2

Vocational Programming:

		Active	Waitlisted
Vocational Programs	Female	8	2
	Male	180	201

Other Programming:

Program Name	Active		Waitlisted	
	F	M	F	M
Anger Management	0	2	1	32
CBI-IPV	0	64	0	80
Challenge Program- Orientation	0	2	0	1
Grief And Loss	1	0	1	0
Healthy Relationships	4	0	8	0
Houses Of Healing	0	5	0	15
Hustle 2.0	0	14	0	5
Inside-Out Dads	0	6	0	69
Long Distance Dads	0	0	0	20
MBH - Parenting Inside Out	5	0	6	0
MPRN	0	2	0	2
New Freedom	2	19	0	21
Nonviolent Communication	0	1	1	66
NVC Foundations	0	0	0	3
Planning Your Release	0	3	0	26
Prison Fellowship Academy	0	24	0	6
Problem Sexual Behavior Tx Building a Balanced Life	3	17	2	48
Psychology Of Incarceration	0	0	0	27
R&R2	0	10	0	9
Recovery Coach Academy	0	0	0	4
Recovery Coach Ethics Training	0	0	4	16
Recovery Peer Support- Coach	8	30	0	13
Recovery Peer Support- Participant	17	45	1	22
Resident Advisory Council	0	16	0	0
Restorative Justice	0	0	0	3
Restorative Justice - Be Heard	0	0	0	4
SAFE	0	27	2	22
The Impact of Crime	0	10	1	34
Thinking for a Change	0	3	4	86
Grand Total	40	300	31	634