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Testimony of Representative Suzanne Salisbury presenting
LD 2046, An Act to Continue Allowing the Department of Corrections to Accept Placement of Certain Defendants Found Incompetent to Stand Trial
Before the Joint Standing Committee on Criminal Justice and Public Safety

Senator Beebe-Center and esteemed members of the Joint Standing Committee on Criminal Justice and Public Safety, my name is Sue Salisbury. I represent House District 128, which is part of the town of Westbrook. I am happy to present **LD 2046, An Act to Continue Allowing the Department of Corrections to Accept Placement of Certain Defendants Found Incompetent to Stand Trial.**

This bill comes from the Department of Corrections (DOC) but is related to work done in concert with the Department of Health and Human Services (DHHS). My understanding is that when this bill was originally presented, there was a lot of controversy about getting in statute. However, following a recently released report by DHHS/DOC, greater clarity has been established regarding its need and feasibility.

The bill would repeal the provision of law that sunsets on July 1, 2024 which authorizes the Commissioner of Corrections to accept the placement of an adult defendant in a mental health unit of a correctional facility when the adult defendant has been found incompetent to stand trial and has been committed to the custody of the Commissioner of DHHS. The bill would also establish a series of checks and balances to ensure that folks impacted by this legislation are adequately vetted.

This provision, scheduled to sunset this year, has only been used four times. It is imperative that we address this bill in this session and that it be an emergency to ensure it goes into effect ahead of that sunset date.

The department will follow with more information but I am happy to try and answer any questions you may have. Thank you.