

**Bocanegra, Jasmine**

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**Sent:** Monday, January 29, 2024 8:09 AM  
**To:** CJPS  
**Cc:** Stephen Gorden; Cohen, James  
**Subject:** testimony for LD 2109  
**Attachments:** Testimony for LD 2109.docx.pdf; COUNTY STATISTICS.xlsx - COUNTY POPULATION.pdf; TITLE 25.docx

This message originates from outside the Maine Legislature.

Good Morning,

Please find attached my testimony and two supporting documents I wish to provide to the committee. I am unable to attend in person due to another meeting this morning.

Thank you.

Andre E. Cushing III, Chair  
County Commissioner, Penobscot County District 2  
(19 communities in Southern Penobscot County-Carmel, Charleston, Corinna, Corinth, Dexter, Dixmont, Etna, Exeter, Garland, Glenburn, Hampden, Hermon, Hudson, Kenduskeag, Levant, Newburgh, Newport, Plymouth, Stetson)  
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## Commissioner Andre E Cushing III

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LD 2109

### An Act to Maintain State Police Rural Patrol Services at 2020 Staffing Levels

January 29, 2024- Criminal Justice and Public Safety Committee

To the Honorable Committee Chairs Senator Beebe-Senter and Representative Salisbury and the members of the Joint Standing Committee on Criminal Justice and Public Safety. Thank you for your time and attention to this matter presented today. This legislation pertains to a significant need in our communities related to an area core to your committee's mission, public safety.

I would like to frame this discussion in these terms, "public safety" for the purpose of better clarifying for you and other members of the legislature what many believe is the underlying issue. How does law enforcement properly provide the services needed to address crime in our communities and continue building relationships that help law enforcement ?

Our colleagues at the Maine State Police have had a long standing relationship with county and municipal law enforcement, one that is important and values. Under Title 25, section 4,, Chapter 191 (see attached copy of statute) They are statutorily required to patrol and enforce the laws in our state. When this clause was established over 50 years ago the situation was different, times have changed and so have the needs and mission of law enforcement.

In order to appropriately staff patrol in many counties the sheriffs and the state police formed alliances and agreements which worked well and provided our citizens with the safety and order they expected and deserved. Now we all face challenges in law enforcement that have required more adjustments, and the state police have sought to address many of these by developing specialty units. I commend them for doing so. Likewise county law enforcement has stepped up to address the need for community level policing and trained and better equipped their personnel to patrol the communities of their counties.

We as a state have not always provided the funding to properly account for changes in the workforce or the demands on law enforcement professionals. It is time to again reassess this issue and determine the best course of action. I believe county sheriffs can continue to provide these important resources. However, it does not seem fair or appropriate to place the full financial burden on property tax payers for providing these necessary services when they are currently obligated to also pay for this coverage at the state level through other taxing methods.

While the Maine State Police need resources to fill their role, it is the county and municipal law enforcement officials who live in their communities, regularly interact with residents at community events, visit schools, town offices and local businesses and engage with residents on a sometimes daily basis. This presence reassures our citizens of the valuable role of those who serve. It also is a significant deterrent to those who might violate the laws to know that a local or county law enforcement officer is vigilant.



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In conclusion I ask that you support this effort to appropriately fund law enforcement and support a stronger collaboration between the state and county law enforcement officials.

The state which has greater means than a county does to acquire and disburse necessary revenue, should give due consideration to the importance of county law enforcement officers to fill the gap they are facing in providing rural residents with the services they deserve.

I thank you for your thoughtful consideration of this request and ask that you send this bill forward to the full legislature for review and action with the strong support of this committee charged with decision making on the important questions relating to public safety.

To further assist you in understanding the needs for patrol services I include a chart showing some statistics on a county by county basis. This demonstrates the important need for much of our state to have regular patrols in the rural communities as well as that provided by municipalities that have their own law enforcement/ public safety departments.

# Maine County detail comparisons for policing

ranked by population

Ranking- populatio n	County	Population	Avg population per district	# of towns/ cities	Unorg townships/ plantations	local police Dept	% of towns w/police dept	road miles	AREA IN SQ MILES	Schools	colleges	hospitals
1	Cumberland County	305,231	61,046.20	28	0	13	46.4%	<b>2,498.79</b>	835.24 sq mi	125	7	5
2	York County	214,591	42,918.20	29	0	15	51.7%	2,271.66	990.71 sq mi	73	2	2
3	Penobscot County	<b>152,765</b>	<b>50,921.67</b>	<b>55</b>	<b>11</b>	<b>11</b>	20.0%	<b>2,372.05</b>	3,397.36 sq mi	<b>76</b>	<b>4</b>	<b>6</b>
4	Kennebec County	124,486	41,495.33	29	1	10	34.5%	1,658.72	867.52 sq mi	67	3	2
5	Androscoggin County	111,034	15,862.00	14	0	9	64.3%	1,180.74	467.93 sq mi	47	3	2
6	Aroostook County	66,859	22,286.33	55	17	6	10.9%	<b>2,408.06</b>	6,671.32 sq mi	44	3	4
7	Oxford County	58,629	19,543.00	34	4	6	17.6%	1,703.13	2,076.84 sq mi	34	0	3
8	Hancock County	56,192	18,730.67	37	4	7	18.9%	1,248.68	1,586.89 sq mi	38	2	3
9	Somerset County	50,592	10,118.40	27	10	3	11.1%	1,457.49	<b>3,924.40 sq mi</b>	34	1	1
10	Knox County	41,084	13,694.67	17	3	4	23.5%	708.25	365.13 sq mi	27	0	2
11	Waldo County	39,912	13,304.00	26	0	4	15.4%	1,102.31	729.92 sq mi	28	1	1
12	Sagadahoc County	37,071	12,357.00	10	1	4	40.0%	507.98	253.69 sq mi	18	0	0
13	Lincoln County	35,828	11,942.67	18	3	4	22.2%	792.15	455.82 sq mi	24	0	1
14	Washington County	31,121	10,373.67	41	4	5	12.2%	1,155.20	2,562.66 sq mi	36	2	3
15	Franklin County	29,687	9,895.67	17	9	5	29.4%	940.9	1,696.61 sq mi	18	1	1
16	Piscataquis County	17,165	5,721.67	17	7	3	17.6%	780.97	<b>3,960.85 sq mi</b>	9	0	2

§1501

**Title 25: INTERNAL SECURITY AND PUBLIC SAFETY**  
**Part 4: STATE POLICE**  
**Chapter 191: ORGANIZATION; POWERS AND DUTIES;**  
**UNIFORMS; COMPENSATION; RESERVE CORPS**

§1502-A

**§1502. Powers and duties; cooperation of others**

The specific powers and duties of the State Police shall be to patrol the state highways and other important ways, especially outside the compact portion of cities and towns, for the purpose of enforcing the law, and all laws relating to motor-driven and horse-drawn vehicles and all rules and regulations in regard thereto, and of arresting all violators and prosecuting all offenders against the same. The State Police shall aid the Department of Transportation in the enforcement of its rules and orders and permit regulations. In addition to these duties and powers, the Chief and members of the State Police are vested with the same powers and duties throughout the several counties of the State as sheriffs have in their respective counties to serve criminal processes, to investigate and prosecute violators of any law of this State and to arrest the offenders thereof, and the same power and duty as sheriffs have to arrest without warrant and detain persons found violating or attempting to violate any other penal law of the State until a legal warrant can be obtained. As arresting officers, or aids, or witnesses in any criminal case, they shall be limited to the same fees as complainants under Title 15, section 1363. Fees shall be taxed on a bill of costs and shall be paid promptly each month to the Treasurer of State and credited to the General Highway Fund. They shall have the same rights as sheriffs to require aid in executing the duties of their office. They may serve any subpoenas, notices and processes issued by the Secretary of State or the Department of Transportation under authority of law. They shall at all times be subject to the call of the Governor for emergency purposes at the Governor's discretion. [PL 1989, c. 757 (AMD) .]

The State Police, sheriffs and deputy sheriffs, constables, city marshals, deputy marshals and police officers of cities and towns shall, so far as possible, cooperate in the detection of crime, the arrest and prosecution of criminals and the preservation of law and order throughout the State.

The State Police may provide patrol services to the Maine Turnpike. The Chief of the State Police may charge the Maine Turnpike Authority for these services. Revenues received are allocated for the purpose of funding the cost of patrolling the Maine Turnpike. [PL 1985, c. 403, Pt. A, §1 (NEW) .]

Upon the request of a federal agency or other person, the State Police may provide assistance for public safety purposes only to the federal agency or other person. The Chief of the State Police may charge the various federal agencies or other persons for these services. Revenues received from these agencies and other persons must be allocated for the purpose of funding the cost of providing the services. The State Police shall report to the joint standing committee of the Legislature having jurisdiction over criminal justice matters no later than January 15th of each year concerning the assistance provided to federal agencies and other persons during the previous calendar year. The report must contain information about the types of services provided, the

number of services and the fees charged by the Chief of the State Police. [PL 2001, c. 483, §1 (AMD) .]

The Chief of the State Police may assign one or more state police officers to provide full-time or part-time police services to a municipality, or to no more than 3 adjoining municipalities, lacking an organized police department, if the municipality or municipalities pay the costs of training, compensation, including wages and fringe benefits, equipment and other expenses of the assigned state police officer or officers. The Chief of the State Police shall continue to exercise supervision and direction over a state police officer who is assigned to provide police services to a municipality or municipalities. The Chief of the State Police and the municipality or municipalities are authorized to enter into agreements and contracts for police services for a period not exceeding 3 years per agreement or contract. Revenues received from a municipality must be allocated for the purpose of funding the cost of providing the police services. [PL 2005, c. 53, §1 (AMD) .]

Municipal and county jails shall at all times be available for detention of persons arrested by state or any other law enforcement officers. In those municipalities where full-time supervision of the jail is not provided by the municipality, full responsibility for the safekeeping and welfare of any person detained shall rest solely with the arresting officer. Expense of any municipality or any damage to the jail resulting from the use of its jail by any arresting officer shall be reimbursed to the municipality by the law enforcement agency for which the arresting officer is acting. [PL 1989, c. 757 (AMD) .]

County commissioners of all the several counties are authorized to provide and pay for liability insurance protection for the keeper of the county jail.

The Bureau of State Police is authorized to establish 2 State Police Sergeant project positions to be temporarily assigned to the Maine Criminal Justice Academy for each training class at the academy. [PL 2005, c. 519, Pt. Q, §1 (NEW) .]

#### SECTION HISTORY

PL 1971, c. 423, §3 (AMD). PL 1971, c. 593, §22 (AMD). PL 1979, c. 51, §1 (AMD). PL 1985, c. 403, §A1 (AMD). PL 1989, c. 757 (AMD). PL 1993, c. 123, §1 (AMD). PL 1999, c. 119, §1 (AMD). PL 1999, c. 653, §1 (AMD). PL 2001, c. 483, §1 (AMD). PL 2005, c. 53, §1 (AMD). PL 2005, c. 519, §Q1 (AMD).