



Maine Sheriffs' Association

"One Team, One Mission"

Sheriff Scott Nichols, President

Sheriff Troy Morton, 1st Vice-President, Sheriff Scott Kane, 2nd Vice-President – Sheriff Barry Curtis, Secretary – Sheriff Todd Brackett, Treasurer – Sheriff Dale P. Lancaster, Immediate Past President – Sheriff Kevin Joyce, Past President-at-Large - Mary-Anne LaMarre, Executive Director

February 24, 2025

TESTIMONY OF SHERIFF TROY MORTON MAINE SHERIFFS ASSOCIATION

In support of

LD 418 – An Act To Remand Individuals With Pending State Probation Violations To The Department Of Corrections Following Initial Proceedings

Senator Carney, Representative Kuhn, and distinguished members of the Joint Standing Committee on Judiciary. My name is Sheriff Troy Morton, I serve as Vice-President of the Maine Sheriffs Association, and I am here today on their behalf.

Maine sheriffs convened last month to discuss LD. 418 – An Act To Remand Individuals With Pending State Probation Violations To The Department Of Corrections Following Initial Proceedings. The Maine Sheriffs Association's legislative policy committee unanimously voted to support this bill.

During discussions regarding Maine's correctional systems, there is often an inappropriate comparison made between Maine jails and state prisons. Although both institutions serve essential functions within the criminal justice system, they operate in fundamentally different capacities.

For individuals unfamiliar with the intricacies of our correctional framework, it is vital to acknowledge these distinctions. I frequently utilize the hospital model to demonstrate the difference.

County jails can be likened to emergency departments; they are continually open and do not restrict access based on the circumstances or conditions of incoming individuals. The primary responsibility of county and regional jails is to ensure public safety while simultaneously stabilizing individuals that in most cases, enter our jails with substance abuse and mental health conditions.

In contrast, the state prison system resembles the upper levels of a hospital, with a focus on long-term care and rehabilitation following stabilization. Prisons admit individuals only after they have spent considerable time in county and regional jails, where they serve lengthy, court-mandated sentences while participating in programs aimed at reducing recidivism.

In recent legislative sessions, considerable attention has been directed towards the populations of our jails. There has been significant inquiry into the reasons behind individuals' detainment, the duration of their stay, and the services provided, which are among the themes sparking discussion.

Individuals on probation were previously found guilty, sentenced to prison, and subsequently released and placed on probation. Probation violations occur when an individual commits a crime or fails to comply with probation requirements. Maine Sheriffs acknowledge that if a new crime takes place, these individuals should be returned to county jails.

What we do not agree with is the current practice of returning individuals to jail, when they are already sentenced to state correctional facilities. Probation violations could include failure to report to their probation officer, incorrect addresses, failing to attend treatment, etc. In these cases, when no new crime has been committed, these individuals should be returned to the facility from which they were released.

While state probation serves as a crucial component of the sentencing process, it is imperative that individuals found in violation of probation are not subjected to prolonged confinement in county jails. After the initial assessment of probation violations, these individuals should be remanded to the custody of the Maine Department of Corrections for appropriate housing.

Our Mission: The Maine Sheriffs' Association preserves and strengthens the office of Sheriff through professional and collaborative leadership with integrity and compassion; enabling Maine Sheriffs to best protect the citizens they serve. Maine's sixteen sheriffs, with over five hundred and sixty-three years of service combined, are unlike other law enforcement professionals as they are elected to serve by the voters of Maine communities. Each sheriff was voted into office to serve their county as the highest-ranking county law enforcement officer. The privilege and responsibility that comes with this role is paramount to all sixteen of us.