

# Maine PRISONER ADVOCACY Coalition



*Peter M. Lehman, PhD*

20 Lawrence Ave.  
Thomaston, Maine 04861  
(207) 542-1496  
Peter@GrowInME.com

## **Testimony in support of LD 425 to the Committee on Judiciary**

February 24, 2025

Senator Carney, Representative Kuhn, and distinguished members of the Committee:

My name is Peter Lehman and I live in Thomaston. I am a formerly incarcerated citizen and a person in long-term recovery.\* I am testifying in support of LD ~~248~~<sup>425</sup> on behalf of the Maine Prisoner Advocacy Coalition whose goal is to promote restorative practices in order to increase public safety and the health of our community.

For some, it is an article of faith that Maine's government bureaucracy is loaded with dishonesty and misuse of public funds. Yet, despite this, there is very little oversight of governmental operations.<sup>1</sup> This bill reverses that trend.

At the Federal level, the Inspector General Act of 1978 and its refinements through 2022, places oversight personnel in various Federal Department and agencies, specifically charged with receiving complaints and ferreting out misbehavior.<sup>2</sup> LD ~~248~~<sup>425</sup> seeks to do the same within the Office of the Attorney General.

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<sup>1</sup> One of the only exceptions to this lack of oversight is the highly successful Maine Long-Term Care Ombudsman Program

<sup>2</sup> See the Wikipedia entry on this Act and its history at [https://en.wikipedia.org/wiki/Inspector\\_General\\_Act\\_of\\_1978#:~:text=The%20Act%20gave%20these%20inspectors,404;%20IG%20Act%2C%20sec.](https://en.wikipedia.org/wiki/Inspector_General_Act_of_1978#:~:text=The%20Act%20gave%20these%20inspectors,404;%20IG%20Act%2C%20sec.)

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\* In the interest of honesty and disclosure, a personal background statement is available on request.

The proposed oversight is limited to criminal convictions. This is important but might be broadened to include other unreviewed areas of Attorney general activities, such as the investigation of homicides.<sup>3</sup> These can create internal conflicts of interest when both the investigation and the prosecution are undertaken by the same Office.

A possible example of this conflict is the death of a mentally ill man, Jeremy Lau, in Patten in March, 2022. Despite the fact that the Medical Examiner ruled it a homicide, little investigation seems to have been done and the case came to light only because of a Freedom of Information request that took over a year to respond to. No one was ever charged or disciplined.<sup>4</sup>

With all due respect and appreciation of the difficult tasks performed by the Attorney General's office, we believe that it is time that at least one additional and independent set of eyes are available.

We urge that Maine join Minnesota in creating a Conviction Integrity Unit.<sup>5</sup>

Thank you for your attention. I will be happy to try to answer questions.

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<sup>3</sup> See the Attorney General's website at [https://www.maine.gov/ag/crime/crimes\\_we\\_prosecute/homicides.shtml](https://www.maine.gov/ag/crime/crimes_we_prosecute/homicides.shtml)

<sup>4</sup> Bangor Daily News, September 6, 2023, Patten man killed in police custody was shocked, beaten and handcuffed face down, <https://www.bangordailynews.com/2023/09/06/mainefocus/jeremy-lau-autopsy-report-police-custody-death/>

<sup>5</sup> We are also aware of the excellent and important concerns raised by Ted Berry in his testimony to this Committee and urge you to work to address them without losing the core importance of establishing this Unit.