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HOUSE OF REPRESENTATIVES

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Testimony of Representative Nina Milliken presenting

LD 647, An Act Regarding Telephone and Video Call Access in Detention and Correctional Facilities and Jails

Before the Joint Standing Committee on Criminal Justice and Public Safety

Hello Senator Beebe-Center, Representative Hasenfus, and friends and colleagues on the best committee in the Maine Legislature, Criminal Justice and Public Safety. My name is Nina Milliken and I am honored to represent the people of the towns of Blue Hill, Brooksville, Castine, Sedgwick, Surry and Trenton in the Maine House. I am happy to be here today to present to you **LD 647, An Act Regarding Telephone and Video Call Access in Detention and Correctional Facilities and Jails**.

This bill has been a difficult one to work on. As you can see from the cosponsors, there is a great deal of bipartisan support from across the entire state. From Kittery to Caribou, it seems clear to our elected officials that something needs to be done to help incarcerated folks stay in touch with their loved ones and that the cost of communicating is too high. I have met with Maine Department of Corrections (MDOC) and, following the Federal Communications Commission (FCC) ruling that eliminated their ability to collect money from phone calls last spring, they are opposed to this bill as written because they believe it will cost the Maine Taxpayers a minimum of \$1.5 million. And, as we all know, a bill with that high of a fiscal note is likely dead on arrival in the 132nd Legislature.

Because of this impasse, I would like to propose a strike and replace amendment on this bill. Currently, MDOC residents are entitled to one 30 minute phone call if they are indigent and indigency is defined for this purpose as having \$10 or less in their account. We have seen this \$10 indigency definition in other conversations and statutes before this committee in recent weeks. \$10 is very low. Many things in the prison cost significantly more than they do on the outside. And opportunities for making money are extremely limited for incarcerated people. Many prison jobs pay less than \$2 an hour. Thus, the amendment that I would propose for this bill would be to change the title to "An Act to Update the Definition of Indigency for Residents of the Maine Department of Corrections and County Jails Everywhere That it is Defined in Statute" and the bill would change the places in statute that indigency is defined and replace those dollar amounts with \$100.

This, hopefully, will make some supportive programs like the free phone calls available to more people in MDOC custody. I had been hoping that I would come before the committee with a dollar amount that MDOC was agreeable to, but we weren't able to meet and negotiate before this hearing. I anticipate that they have feelings about the \$100 amount, so I would like to say that I'm going to continue to work with Sam Prawer and the folks at MDOC between now and the work session to try to find a figure we can agree on. I appreciate the committee's time and consideration, and I am happy to try and answer any questions.

District 16: Blue Hill, Brooksville, Castine, Sedgwick, Surry, Trenton

GROUPING CODE DEFINITIONS		RESULTS:	
		GROUPING CODE	TOTAL
GROUP--: < 0.00 -- negative shouldn't occur...		GROUP--:	0
GROUP-0: = 0.00 -- not including "Group --".		GROUP-0:	3
GROUP-A: <= 10.00 --not including Group 0.		GROUP-A:	37
GROUP-B: <= 15.00 -- not including Group A.		GROUP-B:	5
GROUP-C: <= 30.00 --not including Group B.		GROUP-C:	40
GROUP-D: <= 50.00 --not including Group C.		GROUP-D:	51
GROUP-E: <= 100.00 --not including Group D.		GROUP-E:	167
GROUP-F: > 100.00 --failed the criteria...		GROUP-F:	1992