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Judicial Branch testimony in opposition to LD 1032, An Act Regarding Court Security:

Senator Carney, Representative Kuhn, members of the Joint Standing Committee on Judiciary, my name is Julie Finn and I represent the Judicial Branch. I would like to provide the following testimony in opposition to this bill.

The Judicial Branch has made no secret of the fact that we are short on judicial marshals. In the pending biennial budget, we have asked for more marshal positions, as well as reclassifications to provide for increases in pay. It is also well known that we have had difficulties recruiting and hiring new marshals. This is a problem shared by other law enforcement agencies in Maine.

The Judicial Branch has in the past and continues to contract with sheriff's departments in some counties. We also enter into contacts with temporary staffing services to cover our security needs when that is possible. We have been diligent and creative in finding ways to cover our marshal needs to avoid closing a court due to a lack of marshal services. We never wish to close a court for this reason but at times it is necessary.

Any contracted-for assistance in the judicial marshal program must be trained by our staff in court security and answerable to Judicial Branch officers. In addition, contracts must be negotiated and executed which takes a certain amount of time. Security contracts are long or medium-term solutions, not short-term solutions. And the need fluctuates between different parts of the state and at different times. Section 1 of the bill does not allow for the flexibility or the time to negotiate the contracts.

Significantly, 4 MRS §17, which is the only section amended by LD 1032, already provides the authority for the State Court Administrator to "contract for the services of qualified individuals as needed on a per diem basis to perform court security-related functions and services." In addition, "qualified individuals" are defined as "municipal law enforcement officers, deputy sheriffs and other individuals who are certified ... and have successfully

completed additional training in court security provided by the Maine Criminal Justice Academy or equivalent training.” 4 MRS §17(A)(1).

This bill is duplicative of existing law in some respects and is too restrictive in other respects. We ask that you vote ought-not-to-pass.

Thank you for your time.