



# HOUSE OF REPRESENTATIVES

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## LD 1032 "An Act Regarding Court Security"

Good Morning Senator Carney and Representative Kuhn and distinguished members of the Judiciary Committee.

Today I am presenting an amendment to the current statute on court security. As you will see in testimonies that will follow, this is a huge concern on many levels.

Historically in our state, county sheriffs provided security for both the courtroom and the Judge in chambers. Only a few years ago, and I am sure the folks that follow will have exact dates for some of this, the state marshall service was established and took over the security of our district courts.

In Piscataquis County this has been an issue long before the backlog that we attribute to Covid. Prior to being elected to this body, I served several terms as a County Commissioner, and as the chair of the Piscataquis County Board of Commissioners. A constant recurring situation that I experienced was the parking lot being full because the court was scheduled to be in session and then shortly after 7:30 seeing the parking lot empty and upon enquiry finding out that at the last minute, due to no available marshal, the court was cancelled. In some of these instances it was a mere inconvenience for the 100's of people who had changed their days schedule, taking days off of work to appear for something as benign as a motor vehicle infraction. However, sometimes there were violent offenders and their victims both waiting in the parking lot for the doors to open when court personnel stepped out to say, we are closed for the day due to the lack of a marshal and you will be notified when to return.

This is wholly unacceptable and upon research I could find no documentation of the court being closed due to a lack of an available

District 30 Abbot, Beaver Cove, Bowerbank, Cambridge, Greenville, Greenville Junction, Guilford, Monson, Parkman, Sangerville, Sebec, Shirley, Wellington and Willimantic, Plantations of; Kingsbury Plantation and Brighton Plantation, the unorganized territories of; Barnard Township, Elliottsville Township, Big Moose Township, Bowdoin College Grant East Township, Chesuncook Township, Cove Point Township, Days Academy Grant Township, Frenchtown Township, Harfords Point Township, Kineo Township, Lily Bay Township, Moosehead Junction Township, Northeast Carry Township, Shawtown Township, Sugar Island Township, Williamsburg Township, Blanchard, Northeast Piscataquis and Northwest Piscataquis

sheriff before the marshal service was established. As a County Commissioner we reached out to the marshal service and got no reply. We asked the sheriff to reach out to the marshal service, as he was willing to fill in where the marshal service failed in their obligation.

Again, this was not something that the State Court Administrator wanted anything to do with. Described in the original statute is the availability for the State Court Administrator to contract these services as necessary. Today I am here to define necessary; when the court is failing at the two most basic functions which are the physical security of the defendant and the plaintiff and the simple operation of performing their duties on scheduled court days. I think you would all agree that it is necessary for the State Court Administrator to contract out these services as prescribed.

The only additional change that I suggest in my bill is that the sheriffs have first refusal of these contracts. I put a simple number of 2% of the time so that if scheduled court days are changed due to lack of security more than 2% of the time, the option for the State Court Administrator to contract would then become must contract. Though 2% may seem a low number this affects many lives and has incredibly negative potential if it continues. I would entertain a slightly larger % but I certainly believe 5% is way out of line. And as you will see in the testimonies to come, our court system has exceeded 5% for far too long.