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Rockland, Maine

LD 1962 An Act to Establish the Corrections Ombudsman  
In favor

I'm testifying in support of LD 1962. Carceral facilities need oversight because they are isolated from the public eye *and* because they house many of our community's most vulnerable. In what follows, I will describe how neither our prison boards of visitors nor prison accreditation process provide meaningful oversight currently. While relevant, I will leave discussion of the DOC's internal disciplinary, grievance, or appeals practices to the prisoners who are its expert witnesses.

Maine's prison **board of visitors** have submitted only 15% of the annual reports required to be submitted to *this* committee over the past 15 years. Of the most recent round of reports due, only MCC's was received. Half of our prisons don't list a way to contact their BOV, and the half that do offer the facility's mailing address. This means that fear of retaliation could keep prisoners from reaching out about issues.

Does national **accreditation** help with prison quality control? The DOC contracts with ACA to perform required facility reviews every 3 years (Title 34A 1215A). However, these reviews aren't helpful for external oversight because the DOC (policy 1.5.1) considers them "for departmental use only" and "confidential".

Only one third of MSP's 2019 ACA review includes actual findings about this facility. 48 prisoner contacts are summed up in two sentences. Likewise, 92 staff interviews fit into an additional two sentences. The report doesn't list the 60 mandatory standards this facility is subject to, or how we did on each one of them. And this isn't unique to Maine - the OIG found that our federal prisons "received no value from ACA reaccreditation," even though it costed them \$2.75 million (<https://www.prisonlegalnews.org/news/2024/jul/1/federal-watchdog-slams-bop-sham-accreditations/>).

The issues that these structures fail to prevent manifest in **court** as denial of prisoners' rights. At least 28 cases were filed by prisoners against the MDOC in 2025; after 27 were filed in 2024. 10 of these cases were Maine Human Rights Commission cases. A functional ombuds office would prevent these cases by supporting prisoners, staff, and administration, while relieving pressure on our courts and the attorney general's litigation arm.

**Media** coverage hasn't helped shed much light, either. Multiple longtimers at MSP report that the current months of lockdowns are the worst they've seen in decades, with no end in sight. The only press coverage I can find is a 130-word article last month that features department spokesperson's denial and no inmate perspectives.

I wouldn't testify on this bill if our prisons didn't have **issues**. It's not unusual right now to see MSP residents attending events on Zoom wearing jackets and hats because their rooms are so cold. The average age of death in Maine's prisons is 61 years of age, which is 17 years younger than the rest of us. Even when residents file and win accountability through the courts, some have had to re-file because the department failed to comply with the resulting judgements (Pierce and Robinson rule 80C petitions: ROCSC-AP-2024-11/12 and ROCSC-AP-2025-01/02). DOC's medical provider Wellpath filed for bankruptcy in 2024 and had to sell off part of itself in order to pay back some of the prisoners they owed settlements to (Wellpath Holdings Inc: Case # 24-90533 in Texas Southern District court).

These issues can be resolved with collaboration and transparency. The 2000 people in the DOC's custody, their friends and family, the department's employees, and Maine's taxpayers deserve an Ought to Pass on LD 1962.

	A	B	C	D	E	F	G	H	I	
1	Annual BOV reports received by CJPS for MDOC facilities									
2		MSP	MCC ♂	MVCF	BCF	MCC ♀	SMWRC	DCF	LCYDC	
3	2010	◆			◆		not born yet			
4	2011	◆	◆		◆	◆		◆	◆	
5	2012	◆			◆					
6	2013									
7	2014	◆			◆					
8	2015									
9	2016									◆
10	2017									◆
11	2018									
12	2019									
13	2020	◆								
14	2021									
15	2022									
16	2023									
17	2024		◆			◆				
18	17/113									
19	After analyzing every annual prison BOV report submitted to									
20	CJPS over the past 15 years (with OPLA Will Tew’s assistance),									
21	I found that only 15% of required annual reports were submitted.									

Year	Petitioner / Plaintiff	Docket	Type	Content	Outcome
2025	McMillan, Christopher	E25-0013-A&B	MHRC		CLOSED 6/17/2025 (AG)
2025	Moore, Walter v. Officer Conde, et al.	1:25-cv-00019-JAW	federal	property destroyed	dismissed
2025	Okie, John	ROCSC-AP-2025-17	Rule 80C	due process, more	withdrawn (DOC granted remedies upon filing 80C)
2025	Olsen, April	E25-0337	MHRC		PENDING (AG)
2025	Pierce, Tim	ROCSC-AP-2025-02	Rule 80(c)	dog training	
2025	Pratt, Anthony	PA25-0111-A	MHRC		PENDING (AG)
2025	Rameau, Katherine	2:25cv00057 LEW	federal	prisoner civil rights	PENDING (AG)
2025	Robinson, Buddy	ROCSC-AP-2025-01	Rule 80(c)	dog training	
2025	Seppy, Donna	E25-0001-A-I	MHRC		PENDING (AG)
2025	Snowman, John	1:25cv00276	federal	prisoner civil rights, prison conditions	
2025	Sockabasin	ROCSC-AP-2025-05	Rule 80C		
2025	Whitehouse, Charles	KENSC-AP-2025-28			12/11/2025 closed
2025	Witham Jr	ROCSC-AP-2025-14	Rule 80C		
2024	Ackerly, Daniel	Knox AP-2024-13			CLOSED 3/12/2025 (AG)
2024	Anctil, Steve	KNO-24-510			PENDING (AG)
2024	Carleton, Ryan T	24-1032	federal	prison condition	
2024	Clement, Jeremy	Knox AP-24-15			CLOSED 5/27/25 (AG)
2024	Demerchant, Heath	1:24cv00385	federal	prisoner civil rights	CLOSED 6/25/25 (AG)
2024	DePhilippo, Kirk	Knox AP-24-21	Rule 80(c)	due process?	granted CLOSED 5/28/25 (AG)
2024	Dyer, Gradin	PA24-0152-A	MHRC		CLOSED 1/29/25 (AG)
2024	Flanders, Tricia	E24-0451	MHRC		PENDING (AG)
2024	Eaton, Joseph	PA-24-0393-A	MHRC		CLOSED 9/10/25 (AG)
2024	Garbouj, Tarek	E24-0029	MHRC		PENDING (AG)
2024	Garcia, Carlos Del Jesus	PA-24-0285-A	MHRC		PENDING (AG)
2024	Gladu, Nicholas	24-11824	federal	prisoner civil rights	
2024	Gladu, Nicholas	Ken 24-413		appealed that his 80C was dismissed because untimely decision affirmed, still untimely.	CLOSED 7/8/25 (AG)

Year	Petitioner / Plaintiff	Docket	Type	Content	Outcome
2024	Hylton, Leo	ROCSC-AP-24-19	Rule 80(c)	Visits	PENDING (AG)
2024	Hylton, Leo	ROCSC-AP-24-27	Rule 80(c)	Visits	PENDING (AG)
2024	Hylton, Leo	ROCSC-AP-24-29	Rule 80(c)	Reparative trust account	PENDING (AG)
2024	Koehler, Colin	Kennebec AP-24-09	80C?		CLOSED 8/1/25 (AG)
2024	Martel, Richard	PENSC-CIV-2024-00116	con/civil rights		dismissed
2024	Pacheco, Angel	1:24cv00030	federal		
2024	Patti, Ernest M.	Knox AP-2024-20	80C?		PENDING (AG)
2024	Philogene, Jerry	2:24cv00311	federal	prisoner civil rights	
2024	Pierce, Tim	ROCSC-AP-2024-11	80C	dog training	
2024	Pratt, Anthony	Kennebec AP-24-08	80C?		CLOSED 6/27/25 (AG)
2024	Richardson, Heather	E24-0280	MHRC		PENDING (AG)
2024	Robinson, Buddy	ROCSC-AP-2024-12	80C	dog training	
2024	Tuttle, Shaun	Kennebec AP-24-54	80C?		PENDING (AG)
2024	Whitehouse, Charles	Kennebec AP-24-10	80C?		CLOSED 11/26/24 (AG)

Case data gathered from



- AG's office
- Justia.com
- Westlaw
- State house law library
- Knox county clerk's
- Maine Superior Court database
- E-filing on ResearchMaine
- and Senior Court Management Analyst Claire Bell

in 2025 by  
Luca Mellon.

All cases are  
public files.

<b>Residents died in custody 10/29/2005 – 10/29/2025</b>	<b>BIRTH YEAR</b>	<b>DEATH DATE</b>	<b>age at death</b>
Sweet, Richard	1952	9/22/2025	73
Drewry, Brandon	1961	8/28/2025	64
Jaime, George	1937	8/21/2025	88
Ayer, Kevin	1966	8/17/2025	59
Michael, Ty	1968	6/22/2025	57
Jalbert, Roland	1955	2/21/2025	70
Hall, Edward	1945	12/6/2024	79
Pelkey, Craig	1967	9/16/2024	57
Lee, Stephen	1974	8/23/2024	50
Bradford, Keith	1950	8/17/2024	74
Stevens, Robert	1955	7/5/2024	69
Pak, James	1938	5/25/2024	86
Warmke, Greg	1959	10/14/2023	64
Atwood, Shannon	1970	9/7/2023	53
Small, Norma	1939	3/27/2023	84
Chadbourn, Aaron	1967	3/21/2023	56
Vanwart, Dennis	1951	1/10/2023	72
Craig, Robert	1936	12/4/2022	86
Carney, Robert	1962	11/30/2022	60
Bileau, David	1964	8/31/2022	58
Wilson, Christopher	1972	8/1/2022	50
Lewis, Alexander	2000	7/14/2022	22
Sibley, Jeffrey	1955	7/13/2022	67
Jones, Renaldo	1991	5/10/2022	31
Boucher, Michael	1950	3/27/2022	72
Samson, Raymond	1951	1/15/2022	71
Nash, Arnold	1953	1/13/2022	69
Jeskey, Roxanne	1963	1/8/2022	59
Wallace, Milton	1939	12/23/2021	82
Cocci, William	1979	12/2/2021	42
George, William	1975	11/10/2021	46
McDonald, Kenneth	1966	10/14/2021	55
Albert, Joseph	1943	8/17/2021	78
Glidden, Harold	1947	8/10/2021	74
Paul, Albert	1933	3/15/2021	88
Gardiner, Arthur	1951	3/6/2021	70
Labonte, David	1957	12/30/2020	63
Riddle, George	1972	12/27/2020	48
Uffelman, Richard	1946	12/23/2020	74
Fleury, Matthew	1969	11/26/2020	51
Howarth, Robert	1954	5/16/2020	66
Dumas, Joseph	1959	12/12/2019	60
Rossignol, Robert	1968	12/5/2019	51
Burton, Stephen	1954	12/3/2019	65
Sirois, David	1955	10/15/2019	64
Young, James	1949	5/28/2019	70

Rivera, Paul	1965	4/10/2019	54
Dyer, Carl	1953	3/28/2019	66
Leavitt, Raymond	1962	1/8/2019	57
Nault, Christopher	1968	11/16/2018	50
Leighton, Andrew	1966	10/1/2018	52
Moore, Ashton	1947	6/28/2018	71
Bartlett, Dana	1990	6/24/2018	28
Crosby, Darrell	1958	6/11/2018	60
Leeman, Gregory	1960	4/8/2018	58
Forrest, Robert	1945	2/28/2018	73
Bishop, Henry	1943	8/8/2017	74
Pettigrow, Charles	1969	7/22/2017	48
Cochran, Albert	1938	6/27/2017	79
BROWN, DEANE	1964	4/29/2017	53
Young, Michael	1971	12/7/2016	45
Knowles, Maisie	1999	11/1/2016	17
Raub, Gary	1948	6/29/2016	68
Brann, Ronald	1950	5/17/2016	66
King, Wayne	1979	5/1/2016	37
Riley, Donald	1948	2/11/2016	68
Dubord, Peter	1960	8/8/2015	55
EASTMAN, WILLARD	1951	7/5/2015	64
Phillips, Jeppie	1964	6/29/2015	51
Gleason, Harold	1948	6/2/2015	67
ROBINSON, EDWARD	1937	12/22/2014	77
HOLLOWAY, STEVEN	1962	10/19/2014	52
Farrar, Ronald	1949	10/7/2014	65
Lydick, Jerry	1957	9/24/2014	57
GRAY, PAUL	1945	7/9/2014	69
KAY, PHILLIP	1981	5/9/2014	33
BOLAND, MICAH	1976	2/28/2014	38
O'Donnell, George	1934	2/21/2014	80
Gravel, Stephen	1960	1/21/2014	54
Lloyd, Donald	1939	7/13/2013	74
POWELL, ALAN	1956	6/25/2013	57
Brewer, Garrett	1978	4/3/2013	35
Tucker, Raymond	1946	9/28/2012	66
PAGE, CHARLES	1947	7/26/2012	65
Storer, Robert	1937	3/7/2012	75
Hoskins, Mary	1961	11/17/2011	50
Gerry, Forrest	1927	10/11/2011	84
Corson, Shaun	1977	7/23/2011	34
Ingerson, Robert	1946	7/8/2011	65
MILLET, LLOYD	1960	6/7/2011	51
Calor, Ryan	1981	3/8/2011	30
Spencer, Eddy	1952	12/6/2010	58
NADEAU, JAMES	1944	8/4/2010	66

GALLANT, FRANCOISE	1949	1/20/2010	61
Valdez, Victor	1957	11/27/2009	52
HUPPER, MAURICE	1935	11/8/2009	74
WEINSTEIN, SHELDON	1945	4/24/2009	64
ABBOTT, ROY	1937	2/24/2009	72
DOLAN, JAMES	1957	12/31/2008	51
CRANDALL, LYSLE	1953	4/23/2008	55
JOHNSON, WILLIAM	1963	2/28/2008	45
DUBE, ROLAND	1936	11/22/2007	71
Osborne, Robert	1923	9/29/2007	84
GOODINE, Dana	1959	12/14/2006	47
DEVINE, JAMES	1922	11/23/2006	84
Rideout, Ryan	1981	10/6/2006	25
HOUSTON, ALVIN	1960	5/29/2006	46
STRIKEFOOT, VERNALD	1926	3/20/2006	80
GASSETT, CARLTON	1937	1/21/2006	69

**average age of death in 60.76147**  
**MDOC custody over the**  
**past 20 years:**



Life expectancy: USA (2020)

- All: 77 years
- Male: 75 years
- Female: 80 years
- Source: Provisional Life Expectancy Estimates for 2020, NVSS, July 2021

Life expectancy: Maine (2020)

- All: 78 years
- Male: 75 years
- Female: 81 years
- Source: US State Life Tables for 2020, NVSS, August 2022

Average age of death in MDOC custody: (all deaths 10/29/2005 - 10/29/2025)

- All: 61 years
- Male\*: 61 years
- Female\*: 53 years
- \*DOC death data didn't include sex or gender, so I guessed based on first name and media coverage.