



HOUSE OF REPRESENTATIVES

2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002
(207) 287-1400
TTY: MAINE RELAY 711

Suzanne Salisbury

Phone: (207) 899-6863

Suzanne.Salisbury@legislature.maine.gov

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Testimony of Rep. Suzanne Salisbury in opposition to
LD 1941, An Act to Implement Recommendations of the
Commission to Examine Reestablishing Parole
Before the Joint Standing Committee on Judiciary

Senator Carney, Representative Kuhn and distinguished members of the Joint Standing Committee on Judiciary, I am Sue Salisbury, and I represent House District 128, which is part of Westbrook. I am here today to testify in opposition to **LD 1941, An Act to Implement Recommendations of the Commission to Examine Reestablishing Parole**.

First, I would like to thank the bill sponsor and the advocates for their work on this bill. Since the last iteration of this bill in the 131st Legislature, there has been more attention paid to victims and their families, as well as other issues raised, and I appreciate this. Having said that, I am here to testify in opposition to this bill.

I want to make it clear that I am not opposed to parole being given as part of a new sentence. I am opposed to a person currently sentenced to life in prison being offered the opportunity for secured community confinement. In Maine, approximately 50 people are serving life sentences. When that sentence was given, the family and people left behind, because there (in most cases) are not victims, were given the sense of security that the person who committed the crime would be behind bars for the remainder of their natural life. If we offer those individuals the opportunity to apply for parole, we are taking away that security. I cannot speak for any victim's family, and as I am sure you will hear today, some families would be ok with the opportunity for parole. However, for the families and loved ones who are not ok with parole, forcing them to be a part of the parole process now is revictimizing them. We are telling them that what they went through has no value; the only concern is with the incarcerated individual. Who, through this parole process, will be able to work with staff, counselors and lawyers. They will be able to share what they have accomplished while incarcerated, including job and education opportunities, all things their victims have not had.

I want to point out a few sections in the bill before us that I have concerns about.

"This subchapter applies to all persons in the custody of the Department of Corrections, except for persons in the custody of the department pursuant to a sentence imposed under the law in effect prior to May 1, 1976." This section would imply that all current residents could apply for parole. The companion bill, LD 648, An Act to Expand the Supervised Community Confinement Program, changes the eligibility requirement for people sentenced before they were 26, making it easier, almost mandatory, for residents to apply for SCCP or parole.

As a reminder of some of the crimes committed by those serving a life sentence:

- Convicted of tying up, sexually assaulting and murdering a neighbor;
- Convicted of murdering a 12-year-old girl;
- Convicted of murdering a 4-year-old stepdaughter by putting her in the oven;
- Convicted of murdering a couple in front of their kids;
- Conviction for killing three people; and
- Conviction for shooting two people after going on a rampage and injuring three others.

"Victim" means a victim of the underlying crime for which a specific applicant or parolee was sentenced to the term of imprisonment for which a period of parole has been requested or has been granted. This section does not account for the families, neighbors or first responders who were also victims of the crime. All these people would now be part of the parole process and have an interest in having their voices heard. Even the notification that the resident has applied for parole opens a wound that, while not healed, is at least recovering.

Parole denied; appeal. If, after the hearing, the board denies the parole application, the board shall notify the applicant and the department, in writing, of the reasons for the denial and specifying the appeal date, which must be between one and five years after the date of the denial. This section does not make it clear if the victim (if alive) or the victim's family is made aware. Anyone who provided testimony should be made aware of the denial. The wording about one to five years also suggests this process could drag on for a long time, which is not only stressful for the resident but also for all those affected.

Another issue that has been raised eloquently by the Maine Coalition To End Domestic Violence (MCEDV) and other domestic abuse and victim advocates is the lack of services available for residents if they do receive parole. We need to do better as a state in helping residents who are transferring from incarceration to community life. That process needs to start now so that if parole is given as part of new sentences, we are prepared to help. As a state, we lack sufficient services to treat mental and behavioral health, along with treatments for substance use disorder. My hope is that, while the conversations continue about parole, we also renew our commitment to these other areas.

I want to reiterate my appreciation for the work that has gone into this bill. However, I think more work is needed. If we start by offering parole as an option, we have time to ensure the

protections and supports are in place before the first residents are ready to rejoin our communities. This is a big step, and we need to do it right, not only for the residents but for all those impacted by their crimes and the communities they will live in.