



# Maine Sheriffs' Association

*"One Team, One Mission"*

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April 5, 2021

## **L.D. 801 – An Act Regarding Sentencing Options for a Person Convicted of a Crime Committed While Serving a Term of Imprisonment**

Senator Dechambault, Representative Warren, and distinguished members of the Joint Standing Committee on Criminal Justice and Public Safety,

My name is Ken Mason. I am the Sheriff of Kennebec County and here today on behalf of the Maine Sheriffs' Association. Maine sheriffs met to discuss this bill and our unanimous position is to oppose L.D. 801.

Maine sheriffs are aligned with the intent of providing our inmates with humane care and assistance in areas to ensure their success upon release from our jails. We provide medical care that is often not available to these citizens. We create pathways to overcome substance abuse. We ensure that they're well-fed and in reasonably comfortable accommodations. Compared to many of the situations they're facing outside of our facilities, they know they're safe in our care.

Should L.D. 801 pass through this committee and eventually be signed into law, the unintended consequence of this action is putting the public, incarcerated individuals, and staff members into harm's way.

It's undeniable that there are good people who have made poor choices. Occasionally, these individuals find themselves in our corrections communities. No one in this discussion would dispute that there are also people who struggle to make proper choices. If we, as a society, opt to remove ramifications to those who could jeopardize other inmates and staff members, we have failed those incarcerated persons who expect and deserve protection.

We cannot ignore the other pressing concern that you're all well-aware of, staffing our correctional facilities. The men and women we employ are often not paid enough for their strenuous work. They manage the most difficult populations and they come back to work, day after day. This scenario is consistent in all counties in Maine. If we remove the sanctions of non-concurrent sentencing, those inmates who violate have nothing to lose by committing another crime.

The MDOC standards allows for inmate discipline which is how the vast majority of rule violations are addressed. Those crimes that result in charges are only the most significant and harmful violations. To remove the ability to charge offenders of these devastating crimes, is without doubt, a very dangerous decision.

Members of this committee have repeatedly heard from both state and county officials of the devastating impact of smuggled drugs into facilities. In view of this fact, please remember those

inmates who are desperately working to overcome addiction who may be damaged or even overdose while in jail.

Please know that we understand and respect the thought process behind L.D. 801. When the time comes that we no longer find smuggled contraband in our jails, physical or sexual assault of inmates, or any one of the myriad of ways that people can be harmed, perhaps this bill could be reexamined. Until that time, Maine sheriffs unanimously urge you to vote ought not to pass.

Thank you for your consideration. I would be pleased to answer any questions you might have.

Sincerely,  
Sheriff Ken Mason, o/b/o Maine Sheriffs' Association