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RANDALL A. LIBERTY
COMMISSIONER

TESTIMONY OF

**RANDALL A. LIBERTY, COMMISSIONER
DEPARTMENT OF CORRECTIONS**

In Support of

LD 1170 An Act Regarding Unauthorized Possession of a Firearm in a Correctional Facility or Jail or on the Campus of a Correctional Facility or Jail

**Before the
Committee on Criminal Justice and Public Safety
May 5, 2021**

Senator Deschambault and Representative Warren and other distinguished members of the Criminal Justice and Public Safety Committee, I am Randall Liberty, Commissioner of the Maine Department of Corrections providing testimony in support of LD 1170 as amended.

The Maine Department of Corrections supports the amendment to this bill as it attempts to put into place a public safety statute where there is not currently any. It may come as a surprise to this committee that there are no statutes concerning the prohibition of firearms on the grounds of a correctional facility, let alone inside a correctional facility. There is a statute concerning this for a courthouse, but not a MDOC facility or jail.

First and foremost this bill is about public safety. The safety of our staff, residents, volunteers, student interns, vendors, visitors, and others who find themselves on our grounds for various reasons.

Just like county jails, the MDOC too has experienced firearm threats and firearm “close calls” when individuals have brought firearms on grounds. We’ve had incidents where people are viewing and exchanging firearms in our parking lots and we’ve had incidents of visitors trying to smuggle firearms inside the facility, trying to get firearms and other weapons through the metal detectors. Unless it can be proven the person was trying to get the firearm to a resident, there is no statute to charge the person with a crime and no other meaningful recourse. We support this bill creating a new Class D crime. However we propose adding an additional exemption to the list of exemptions in the bill. This additional exemption, detailed below, allows employees to keep firearms in their vehicle, as allowed in current law.

In particular, we ask that the following wording be added as a new paragraph C under subsection 2 of the new section 1059:

“C. An employee of the State or county keeping a firearm in the employee’s vehicle as permitted by Title 26, section 600, subsection 1.”

The MDOC and county jails worked together on the language of this bill, we agree about the importance of this bill and hope you’ll agree too.

Thank You.

Randall A. Liberty, Commissioner, Maine Department of Corrections

