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TESTIMONY OF

**RANDALL A. LIBERTY, COMMISSIONER
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Opposition to

LD 1588 Resolve, To Convene a Working Group to Identify and Find Replacements for Certain Stigmatizing References throughout the Maine Revised Statutes and Government Publications

**Before the
Criminal Justice Public Safety Committee
May 14, 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 opposition to LD 1558.

In December of 2020 the MDOC officially kicked off an internal campaign we call Language Matters. Language Matters is a department-wide initiative to ensure the use of person-centered language, with the goal of de-stigmatizing incarceration and many of the circumstances and issues associated with it, while also changing a negative narrative and view of those working in corrections who are often stigmatized themselves.

I gather you've noticed MDOC staff using less traditional language these days when referring to those in our custody. The shift to person-first language we've embarked upon means that now we refer to the individuals in MDOC facilities as "residents." This is an effort to shift away from stigmatizing language like "prisoner," or "inmate." MDOC's division of community corrections now refer to individuals under their supervision as "clients," rather than as probationers. These changes and others are underway not just in our speech, but in our documents too. We're in the process of making these and other language changes (like referring to addiction as substance use disorder) to the MDOC resident handbook, in our policies, our employee training materials, and generally across all documents put forth by the MDOC, including public facing communications.

This change is part of the Department's commitment to reducing stigma, which began unofficially in 2019 when we [partnered with McLean Hospital](#) of Massachusetts on their [deconstructing stigma campaign](#), which seeks to normalize seeking and receiving support during times of challenges, be it mental health, substance use, trauma, or otherwise. The impetus of this partnership with McLean Hospital was to encourage staff and residents to feel comfortable seeking support for mental health issues; no one should suffer where there is support available. In the corrections profession, it's also imperative that staff don't feel shame seeking support for managing the stressors that come with the impact of the job, and its impact on one's personal life. I was pleased to see that many MDOC staff participated in this campaign with McLean Hospital, including me. I am intentionally open with staff and residents about my journey to find a healthy balance between the stress and triggers of past traumas and the stress and trigger of the day-to-day work in a highly stressful correctional environment.

All this is to say, we get it. Stigma is real and it is insidious. Using person-first language is one way to fight against stigma. I applaud Representative Pluecker for bringing this very important conversation to the committee room and I thank this committee for your willingness to look at the many ways to reduce stigma. Further, I applaud the employees of the Department of Corrections for changing their language and for recognizing the positive impact new language can have within the correctional setting.

However, the bill, as written, is an example of “perfect getting in the way of the good.” I’d like a perfect world as much as the next person, but I’ve never believed perfect is attainable. I’m however willing to do the work to have a good world.

The changes happening within departments are good—DHHS, DPS, DACF, DOC, we’re all using person-first language, we’re all changing our internal documents as our staffing and organizational structures allow. We are doing the good work of reducing incidences of stigmatizing language.

However, this bill would take groups of staff offline from their current work of helping people for the onerous task of identifying when and where certain terms are used in statutes, rules, forms, policies, and publications of our four agencies. This is a process that would take hundreds of hours of staff time.

We’ve discussed this bill with DPS, DACF, and DHHS. We all agree that what would be good is to consider having the Revisor of Statutes take on the task of revising language in statutes that the individual departments agree should be changed due to their stigmatizing nature. After the Revisor has taken the time to identify statutory language, a bill can be submitted for those changes, and then, after that passes, another bill can be brought forth asking relevant departments to change language within their own policies, forms, rules, and publications consistent with the statutory changes. This would allow the departments the time to continue with the work they are already doing to change language without having to divert staff from equally important responsibilities.

I am happy to answer questions.

Thank You,

Randall A. Liberty
Commissioner
Maine Department of Corrections