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RANDALL A. LIBERTY
COMMISSIONER

TESTIMONY OF

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

Neither For Nor Against

LD 1674 An Act To Improve Access to Medical Care for and Expand the Rights of Adult Clients of State Correctional Facilities

**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 neither for nor against LD 1674.

As you have heard, the Maine Department of Corrections has been working closely with Assistant Majority Leader Talbot Ross and residents of correctional facilities on this bill.

Collectively, and in good faith, we have agreed to a number of revisions which will be finalized before the work session.

The revisions include:

- Striking the current Section 1 and replacing it as noted below.
- Striking the new language in Section 2 and replacing it as noted below.
- Accepting Section 3 and 4
- Striking Section 5 and 6
- Striking Section 7 and replacing it as noted below.

Agreed upon language new Section 1:

Sec. 1. 34-A MRSA §3001-B is enacted to read:

§3001-B. Input into Health Care Services

1. The chief administrative officer of each correctional facility housing adult residents shall seek input from the residents of that facility on at least a quarterly basis relating to the adequacy of the medical and mental health services being provided and suggestions for the development, expansion, and improvement of those services.

2. Input must be sought from residents who are representative of the diversity of adult residents of the facility, including diversity with respect to race, ethnicity, age, and gender, as well as classification level.
3. Input from residents shall be documented and reflected within facility's yearly reports.

Agreed upon language new Section 2:

Sec. 2 34-A MRSA §3031, sub--B § 2

A-1. A client who is indigent may not be charged a fee for requesting or obtaining records of medical, dental or mental health care provided to the client pursuant to this subsection.

Agreed upon language new Section 7:

Sec. 7 Property, strip and body cavity searches. The Department of Corrections shall adopt policies delineating between searches of a client's cell or living space and physical property and searches of a client's person, including strip searches and body cavity searches, and establishing processes for conducting strip searches and body cavity searches in a trauma-informed and gender-responsive manner.

Thank You,

Randall A. Liberty
Commissioner
Maine Department of Corrections