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Testimony of the Maine Municipal Association

Neither For Nor Against

LD 1301- *An Act Regarding Transition Coordination, Prisoner Attendance at Funerals, Furloughs, Visitation, Education and Discretionary Accounts at County Jails*

April 10, 2023

Sen. Beebe-Center, Rep. Salisbury and distinguished members of the Criminal Justice and Public Safety Committee, my name is Rebecca Graham, and I providing testimony, neither for nor against LD 1301, *An Act Regarding Transition Coordination, Prisoner Attendance at Funerals, Furloughs, Visitation, Education and Discretionary Accounts at County Jails*, on behalf of the Maine Municipal Association, which represents the interests of municipal government before the Legislature. The positions of the Association are established by our 70-member Legislative Policy Committee (LPC), who are elected by the councils and selectboards of municipalities in each of Maine's 35 Senate districts.

In 2019, MMA worked with Speaker Talbot-Ross to Pass PL 2019, c. 492, §1 that was subsequently amended by PL 2021, c. 398, Pt. OO, §§5-13 which directed the Department of Health and Human Services to apply for a waiver of extended and presumptive eligibility for Maine care, Medicare in part because those individuals lose these benefits after 30 days of incarceration regardless of their disposition. This is important because some individuals end up in secure facilities because they were violent in emergency health care settings where they were seeking services to help them stabilize and lacked a bed in an appropriate health care setting. This can lead them to lose their health care coverage for seeking poorly resourced healthcare services.

The bill also directed the department to proactively work with county jails and prisons to streamline the application process for nutrition and supplemental income programs before they are released, to allow them to become effective on the day of their release. The intent of this effort was to allow incarcerated individuals to maintain their treatment programs on release without having to navigate an intensely complicated application process post release, to help make sure they had adequate nutritional supports and allow jail identification provided as a resident in a facility to be accepted as proof of identity for obtaining those services and also de novo proof of a lack of income.

This process, to my knowledge, still has some challenges and may or may not be happening in some jails at all. We hope that the committee will consider communicating the need for those supports to be more robustly supported in line with those community available resources and suggest that part of the roles envisioned by LD 1301 better belongs with the state and perhaps should build on the coordination need for DHHS.

As much as facilities would like to be staffed to a level that would be able to coordinate transportation for activities that are important to keep residents connected to their families recognizing those relationships are vital to stop the revolving door of recidivism, they simply do not have those

resources currently. Individuals who need to transport incarcerated residents must be trained to manage them as you have heard this morning.

That said, if the committee does not want this role to be coordinated through the state program envisioned back in 2019, this bill will need to be amended to have the mandate preamble language that directs the legislature to provide the constitutionally required funding for the new position. County jails are struggling to find corrections professionals currently who are needed to protect the minimum obligations that protect incarcerated individuals currently. A state funded and coordinated position would not only be better for the funding impacts to county jails but also better placed to follow that person throughout their post-release needs. This is not the role of a county jail, and case manager or coordinator will provide the best the opportunity for a positive future of the individual.

Officials hope the committee will consider fully supporting either the creation of a state level position to coordinate these needs, or fully fund the obligation for county facilities should you support LD 1301's passage.