



Maine Sheriffs' Association

"One Team, One Mission"

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February 9, 2022

L.D. 696 – An Act to Prohibit Solitary Confinement in Maine's Corrections System

Senator Deschambault, Representative Warren, and esteemed members of the Joint Standing Committee on Criminal Justice and Public Safety, my name is Scott Nichols. I am the Sheriff of Franklin County and I'm here on behalf of the Maine Sheriffs' Association. Maine sheriffs discussed this bill and voted unanimously to **oppose** L.D. 696 – An Act to Prohibit Solitary Confinement in Maine's Corrections System.

When LD 696 was brought forward, Sheriff Kevin Joyce spoke with the sponsor to discuss the bill on Tuesday, February 1. Representative Lookner graciously took time to review the bill and he mentioned that he understood Representative Warren was preparing an amendment to his bill. He indicated that his intent was to avoid having inmates locked down for twenty-three hours a day for four or five years. This simply isn't happening in any of Maine's jails.

The amended language, which has not been made available to the public via the legislature's website, was not available to the sponsor when he met with Sheriff Joyce just last week. Maine Sheriffs received the amendment from this committee's list-serv on Wednesday, February 2. Maine Sheriffs are deeply concerned about rushing complicated bills such as LD 696 onto this committee's agenda without discussing with all stakeholders and ascertaining what is actually happening in Maine's jails.

The people who elected your sixteen Maine sheriffs, trust that we will keep them and their loved ones safe. How does that look if a loved one is incarcerated? While this bill aims to protect the inmate who has behaviors that endanger others, we must consider the vast majority of inmates who deserve protection while in our facilities. If this bill were to pass, an inmate could kill or maim his cellmate, and three days later be returned to the general population.

We want to be very clear; if those of you on this committee pass LD 696, you are voting to remove protection for the very community of inmates that you're hoping to help. This bill is counterintuitive and frankly, constructed without comprehensive knowledge of how Maine's jails are operating.

Solitary confinement, by definition, is punishment by removal. An inmate loses privileges and can earn back their privileges by correcting behavior. During this process, the physical and mental well-being of an inmate is monitored constantly, in many cases with one-on-one

supervision. This allows corrections staff to transition problematic inmates back into the general population in a way that is safe for all members of the community.

Implementing rash and extreme laws that will ultimately endanger hundreds of inmates and county jail staff is irresponsible. I urge you to unanimously vote **Ought Not To Pass** and make it a priority to tour the very jails you hope to change in order to gain a greater perspective on what is actually occurring in Maine jails.

Maine sheriffs appreciate the opportunity to present to this committee. I would be happy to answer any questions you may have.

Sincerely,

Sheriff Scott Nichols
Maine Sheriffs' Association