

April 22, 2021

Maine PRISONER ADVOCACY Coalition



Greetings Senator Carney, Representative Harnett and Honorable members of the Judiciary Committee.

My name is Jan Collins. I am assistant director of Maine Prisoner Advocacy Coalition. I am here to support [L.D. 842](#) **An Act To Reestablish Parole.**

MPAC's mission is to support Maine's incarcerated citizens, their families, and friends in their struggle with Maine's criminal justice system. Our purpose is to reduce Maine's use of incarceration by creating a criminal justice system that is ethical, humane, and restorative in nature.

Maine made a mistake in 1976. It did away with a system that worked and traded it for one that contributed to [increasing incarceration](#) in [Maine by 400%](#), took funding away from reentry programming in favor of walls and bars, increased our recidivism rate, and has steadily expanded the number and percentage of [geriatric patients held behind bars](#). This is despite [decreasing crime](#) and decreasing arrests in Maine and at the expense of family, community, and state budgets.

The financial costs have been staggering. The cost per inmate provided by Maine's DOC in committee hearings this session is [\\$73,000](#)/year. The cost to maintain aging inmates is estimated to be between 2 and 5 times the general inmate population costs. Doubled the costs is \$146,000/year or if multiplied by five \$365,000/year. In 2018-19, the average [per pupil cost](#) in Maine was \$12, 442.95. The savings from placing 10 -20 geriatric inmates on parole would pay for 120 to 560 students to attend public school for a year.

It is clear that it is the legislative prerogative to define crimes and sentences, the judiciary's prerogative to make and modify sentences, and the executives to commute sentences.

Both Federal courts and state courts around the country have ruled that a legal judgement can be revisited. (I will include case law in an addendum) That is in fact what parole is. It is an opportunity to leave a sentence open for review to consider the future, to assess rehabilitation.

When our criminal justice system does not consider the rehabilitation of inmates our communities pay the price. We waste resources that could be used to prevent future victims...resources that could be used for rehabilitative and reentry programming, community mental health resources, substance use disorder treatment, after school programs, and education.

Please vote unanimously to reinstate parole.

Thank-you,
Jan M. Collins
janmariecollins57@gmail.com

Case law supporting the right to review sentences-

Federal -

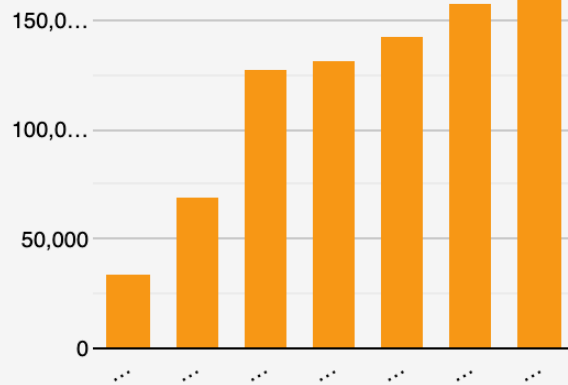
United States v. Benz, 282 U.S. 304(1931)
“Drugs Minus Two”
First Stop Act

States

Maryland
Louisiana - State ex rep. Esteen v. La., 239 So. 3d 233(2018)
North Carolina - In Re Briggs, 47 S.E. 403(N.C. 1904); State v. Blalock, 61 N.C. 242
Colorado - People. Smith, 536 P.2d 820(Col.1975)

We started sending people to prison for much longer terms.

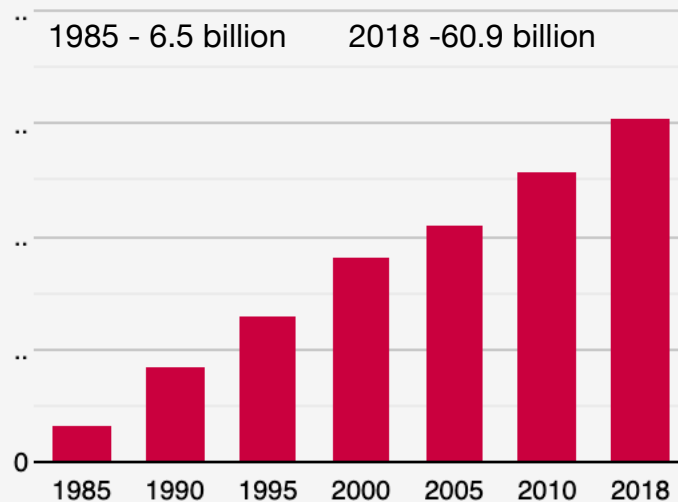
Number of People Serving Life Sentences, 1984-2016



Data source: The Sentencing Project. [Download chart](#)

Harsh sentencing laws like mandatory minimums, combined with cutbacks in parole release, keep people in prison for longer periods of time. The National Research Council reported that half of the 222% growth in the state prison population between 1980 and 2010 was due to an increase of time served in prison for all offenses. There has also been a historic rise in the use of life sentences: one in nine people in prison is now serving a life sentence, nearly a third of whom are sentenced to life without parole.

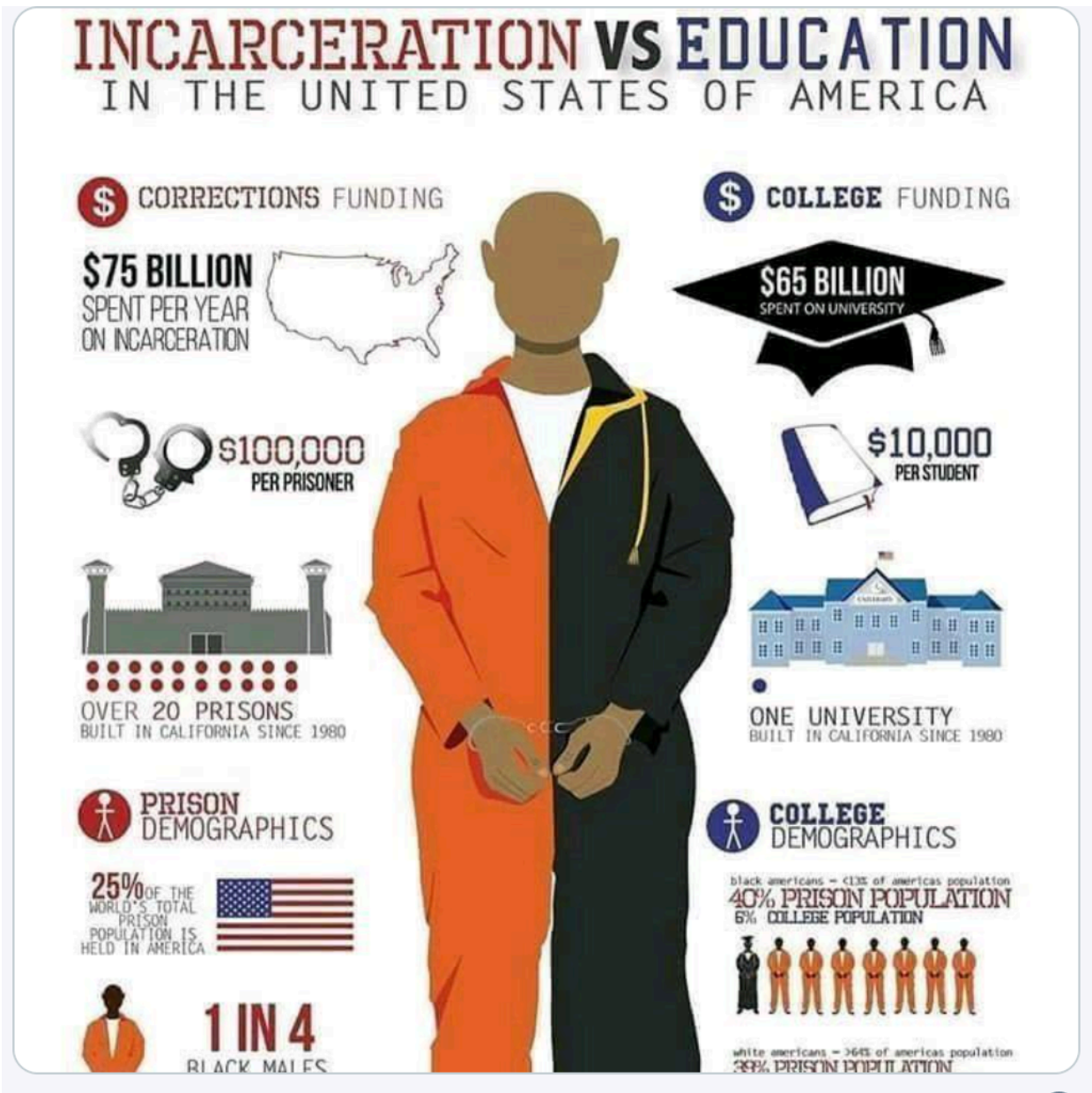
State Expenditures on Corrections in Billions, 1985-2018



Data source: National Association of State Budget Officers. [Download chart](#)

- [No End In Sight: America's Enduring Reliance on Life Imprisonment](#), *The Sentencing Project*, February 2021.
- [Second Look Sentencing: A \(Running\) Reading List for Legislators, Staff, Advocates, and Everyone Else](#), Greg Newburn, Dec. 11, 2020.
- [Second Look = Second Chance: The NACDL Model "Second Look" Legislation and Accompanying Report](#), NACDL, Released Dec. 2020
- [How to End a Sentence](#) by Mitch Ryals, *Washington City Paper*, Oct. 10, 2019.
- [The IRAA and the SLAA: Moving Beyond Nonviolent Drug Offenders to Address Mass Incarceration](#) by Jonathan Blanks, *Cato Institute*, Sept. 13, 2019.
- [James Zeigler: DC Council's 'second look' sentencing efforts are thoughtful, safe and just responses to the crisis of mass incarceration](#), *The DC Line*, Aug. 13, 2019.
- [Ameliorating the Federal Trial Penalty through a Systematic Judicial "Second Look" Procedure](#) by JaneAnne Murray, *University of Minnesota Law School*, April/June, 2019
- [As a teen he killed a man. A new law has given him a second chance](#) by Keith L. Alexander, *The Washington Post*, Sept. 6, 2018.

- [Finality and Rehabilitation](#) by Meghan J. Ryan, *Wake Forest Journal of Law & Policy*, April 2014
- [Re-Balancing Fitness, Fairness, and Finality for Sentences](#) by Douglas A.



Berman, *Ohio State Moritz College of Law*, May 2014

- [Changing the Sentence without Hiding the Truth: Judicial Sentence Modification as a Promising Method of Early Release](#) by Cecelia Klingele, *William & Mary Law Review*, Nov. 2010
- [Second Look Sentencing](#), NACDL.

Jan Collins
Wilton/MPAC

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