



Seeking Common Ground, Working for the Common Good

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Rooted in the Hebrew and Christian scriptures, our mission is to inspire congregations and people of faith to unite in good works that build a culture of justice, compassion, and peace.

Testimony in Opposition to LD 1095

*An Act To Facilitate the Construction and Operation of Private Prisons
by Authorizing the Transport of Prisoners out of State*

and Testimony in Support of LD 690

An Act To Amend the Laws Governing the Transfer of Prisoners to Other States

April 29, 2011

Senator Mason, Representative Plummer, and members of the Joint Standing Committee on Criminal Justice and Public Safety:

My name is Eric C. Smith, I reside in the City of Portland and serve as the Associate Director of the Maine Council of Churches, here today representing the Council's nine member denominations, including Roman Catholic, Protestant, and Unitarian Universalist churches in Maine. Our faith traditions' concern for prisoners can be traced back to Jesus himself who proclaimed the release of prisoners to be part of his ministry (Luke 4:18) and instructed his disciples that their care for "the least of these," including those in prison, is how they would also care for him, and how they would be judged (Matthew 25:34-46).

The Maine Council of Churches has worked for decades toward making our criminal justice system more just, not only for those in prison, but for victims of crime and for our whole community. Our concern for prisoners is about both protecting their human dignity and restoring the community to wholeness when they return from prison. We know that how individuals are treated in prison, the skills they develop, and the support systems they access all have a direct impact on their ability to successfully reenter the community - or on their return to crime and victimization of the community. It is in our shared interest as a state to invest in the best reentry from incarceration, not economic development through incarceration.

Transferring Maine prisoners out of Maine, in most cases, removes them from family and community support and accountability, limiting contact with some of the most compelling incentives for self-improvement. We recognize that in some cases it may be in the best interest of an inmate to be moved to another state, which is why we support the provisions of LD 690 to allow such transfer by consent or court order. But we oppose the transfer of any prisoner to a private correctional facility where, by definition, the first priority is profit, not the rehabilitation of individuals. Prisons for profit have no incentive to return prisoners to our community as better members of society. In fact, their business model is based on an ever-growing prison population. The goal of any business is to increase its number of customers. That's why prisons should not be a business: because while the business may grow, and the private profits may grow, we - the public - are still paying the price.

We are further opposed to transferring Maine prisoners to private correctional facilities due to the lack of public oversight. The citizens of the State of Maine rely on our public employees, our Board of Visitors, and you – our elected representatives – to oversee our correctional system, and protect our inmates and our community from abuses in the system. Without local, public oversight we are not living up to the public responsibility we take on each time our system incarcerates a member of our community.

We are particularly opposed to transfer of Maine prisoners to any facility operated by the Corrections Corporation of America, which has been repeatedly faulted for egregious actions, including failure to provide adequate medical care, unfair labor practices, substandard conditions, and obstructing freedom of religious expression.

We live in a world where crime occurs, victims are injured, and perpetrators must be punished. But if we have any hope of restoring our world, and restoring our community when those individuals return from prison, then we need to make that goal clear by how we manage our corrections system. Locking people up and throwing away the key is not an option, neither is exploiting their incarceration for profit; not if we want to protect their humanity, and ours.

We urge you to vote in **opposition of LD 1095**, to preserve vital public oversight of our correctional system, and to vote in **support of LD 620** to add further protection to the rights of Maine prisoners transferred out of state. Thank you for your time and thank you for your public service.