



# HOUSE OF REPRESENTATIVES

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Good morning, Senator Hickman, Representative Mastraccio, and Honorable Members of the Committee on Government Oversight.

My name is Alicia Collins. I represent the towns of Sidney and Vassalboro in Maine House District 61.

I am grateful to the members of this committee for hearing testimony today in relation to concerns at the Maine Correctional Center in Windham – specifically the Women’s Center.

During my testimony, I’d like to address why I am before the committee, my understanding of current law, and request the committee find ways to implement corrective actions on behalf of the residents incarcerated in Maine.

In August of last year, myself, and several other legislators had the opportunity to tour the Maine Correctional Center in Windham, including the Women’s Center. While we were there, we observed one biological male housed with the female residents.

We asked our tour guide, Warden Ben Beal, about issues of violence, rape, or privacy housing men and women together. Warden Beal assured us the prison took these issues seriously, and any allegation is thoroughly investigated through guidelines set up in the Prison Rape Elimination Act (PREA). We took Warden Beal at his word.

In February of this year, a letter was sent to multiple news outlets about a situation of abuse at MCC. Two news organizations did stories on the content of the letter. One news outlet published the letter and the other spoke to inmates. Both reporters attempted to reach officials at the prison, but the officials refused to discuss the allegations, citing privacy regulations.

The letter was written by a resident, Katie Mountain, alleging harassing and abusive behavior from her cellmate and bunk mate. A 6-foot 1 inch, 310-pound, “fully intact,” biological male. Let me quote parts of the letter I found disturbing. Her roommate told her, “Sorry, I can’t help you, but I can put a baby in you.”

And Katie wrote, “I was scared because my roommate was sitting at the top of my bed just staring at the me while I slept then would make comments like ‘don’t worry if you don’t wake up I smothered you with a pillow,’ or thinking it’s funny saying, “Mountain wanna murder that light for me.””

Katie’s roommate, Andrew Balcer, was convicted of murdering his parents and the family dog (a chihuahua) with a hunting knife. Katie also wrote about an encounter with her roommate in the bathroom, she wrote, “He wanted to read some of the story he was writing for me to me. I came to find out it was a sex scene...things got awkward. I jumped up to get out the door but wasn’t quick enough. He pushed me back to the wall and kissed me. I turned so he got my nose and cheek then pushed past him and ran.” Having been the victim of a physical abuse encounter, where the only safe place for me to hide was a locked car (in the heat of the summer), I have serious issues with a biological male making off handed threats and physically touching another resident – a resident who has NO place to hide.

Katie claims she talked with the Sergeant on the desk about being moved to another quad, and she asked the Unit manager to be moved. She was warned by other the other women not to say anything. Writing, "be very careful what I say because it would be me they lugged back to seg if I express feeling unsafe." And that is just what happened.

In March, the Representative from Phillips, Mike Soboleski, and the Representative from Palermo, Katrina Smith and I visited Katie Mountain.

She was indeed in segregation with no privileges; no library, no gym, no commissary – locked down in her cell. She told us she was having trouble sleeping because of her experiences with Balcer.

Not mentioned in the letter, was his proclivity to sitting in a chair next to the head of her bunk while she slept. He would sit there and stare at her and sometimes stroke her hair.

The day we met Katie; she talked about having 9 weeks left of her sentence. She was relieved to be away from Balcer – she felt safer. Katie has asked for help, and none has come. In fact, she has been in segregation because of her complaint.

We also had an opportunity to speak with resident, Jennifer Albert, about her experiences at MCC.

She has witnessed Balcer telling sexually inappropriate jokes. She has woken to Balcer sitting at her headboard, stroking her hair and had him say, "You are so beautiful. I just want to kiss you." She has seen him rub his erect penis through his pants. And she has had him rub his crotch up against her.

Jennifer Albert believes Andrew Balcer is a predator. She has filed 4 grievances against Balcer but has received no follow up or explanation about her complaints.

She and Katie both claim they have been told, by officials, “We are just following the law,” and “If you don’t like the law call your representative.”

Jennifer Albert does not believe anyone will protect her or other residents at MCC.

I will note, we attempted to set up a meeting with Balcer; however, we were denied. The department cited Policy 21.4, Procedure E (3), which states that a professional visit will not be approved if allowing the visit would create a risk to safety, security, or orderly management of the facility.

I wanted to understand why a predator was being housed in the Women’s unit (someone so dangerous three legislators were denied visitation) and why nothing was being done to protect the other residents.

A FOAA request was sent to Commissioner Liberty, in March, to get clarification on the Department’s procedures on housing, policies on protecting residents from abuse, and to find out the number of complaints of harassment at MCC.

I received a response to the FOAA request. The DOC could not answer all my questions due to statutes on confidentiality, and cited its own policies, PREA, and 34-A §3031 (10) to justify housing this person among other residents.

An annual PREA report was included with the FOAA and showed a disturbing increase of 400% of substantiated claims between 2023 and 2025. Claims like non-consensual sex acts, abusive sexual contact, and sexual harassment. These numbers have made me concerned that the DOC is not doing all within their power to protect the residents housed at MCC.

Currently an incarcerated person still has rights and protections under the law. Protection from cruel and unusual punishment under the 8<sup>th</sup> Amendment, the Code of Federal Regulations (PREA) §115.13 requires “that each facility. . . protect inmates against sexual abuse,” The Maine State Constitution Article I Section 9 protects against cruel and unusual punishments, 34-A M.R.S. §3031 “Any person residing in a correctional or detention facility has a right to: (6) Protection against any physical or psychological abuse,”

The Department of Corrections own Policies 6.11, 20.1 and 23.8 have language regarding sexual misconduct & sexual harassment, harassment, sexual touching, and safety of other residents. The Maine Department of Corrections has a duty to protect its residents from abuse; however, it appears that is not happening in Windham, and the Department is using privacy rights and citing their own policies to justify housing a predator with other residents.

Please, I encourage the Oversight committee to find a resolution to protect the residents at the Maine Correctional Center in Windham and direct the Department of Corrections to provide a plan of action to implement that resolution in a timely manner.

Thank you for your time and I’ll be happy to answer any questions you may have.