



**MEMBERS:**

Neale Duffett\*  
 Tom Brown  
 Irving Faunce  
 Martha Freeman  
 George Jabar  
 Tim King  
 Martin Magnusson  
 Scott Story  
 \* Chair of the Board

**DEVELOPMENT PROGRAM MANAGER:**

Kate Snyder

**DIRECTOR OF PRETRIAL DIVERSION & REENTRY:**

Laura Rodas

**EXECUTIVE ASSOCIATES:**

Kelene Barrows  
 April Fortier

**CORRECTIONS WORKING GROUP:**

Sheriff Todd Brackett\*  
 Denise Lord\*  
 Karla Black  
 Bob Devlin  
 Sheriff Mark Dion  
 Scott Ferguson  
 Ralph Nichols  
 Michael LeVert  
 Malory Shaughnessy  
 Stephen Stanley  
 \*Co-Chairs

**FOCUS GROUPS:**

Budget  
 Education  
 Inventory of Needs  
 Information Technology  
 Medical  
 Mental Health/Substance Abuse  
 Pharmacy  
 Pretrial/Diversion/Alternative Transportation  
 Victim Services

**ANNUAL REPORT  
 OF THE  
 BOARD OF CORRECTIONS  
 January 27, 2010**

Table of Contents

- I. Background and Organization
- II. Mission
- III. Accomplishments
- IV. Funding and Budget Approval
- V. Priorities for 2010
- VI. Legislation Attachments

**I. BACKGROUND AND ORGANIZATION**

The Board of Corrections (BOC) was established pursuant to PL 2008, Chapter 653, “An Act to Better Coordinate and Reduce the Cost of the Delivery of State and County Correctional Services”.

The Board of Corrections currently consists of eight members appointed by Governor Baldacci. The Governor has one additional appointment to make to meet the statutory nine-member board requirement pursuant to 34-A MRSA section 1802, subsection 1.

Current members of the Board of Corrections are:

- Neale Duffett, Chairman, Public Member (Portland);
- Tom Brown, Public Member, Attorney (Bangor);
- Irving Faunce, Municipal Official, Selectman (Wilton);
- Martha Freeman, Director, State Planning Office (Augusta);
- George Jabar, County Commissioners Association, Attorney (Waterville);
- Tim King, Public Member, Executive Director WHCAA (Ellsworth);
- Martin Magnusson, Commissioner, Department of Corrections (Augusta); and
- Scott Story, Sheriff (Waldo County)

**II. MISSION**

The mission of the Board of Corrections is to design, guide and invest strategically in the development of a unified state and county corrections system and to sustain and manage the system in order to accomplish the following goals:

- Reduce recidivism;
- Increase pretrial diversion and post conviction release;
- Reduce the rate and use of incarceration;
- Achieve efficiencies; and
- Reduce the rate of growth in the cost of corrections

Public Law 2008, chapter 653 also established the Corrections Working Group (CWG) to advise and assist the board in the ongoing improvement of the unified correctional system. The Corrections Working Group is co-chaired by Sheriff Todd Brackett of Lincoln County and Associate Commissioner Denise Lord of the Department of Corrections.

The Corrections Working Group has formed the following 10 Focus Groups which are co-chaired by a county official and a state official. Each focus group also has a member of the Board of Corrections who serves as a liaison.

Budget Process  
 Inventory of Needs  
 Pharmacy  
 Medical  
 Mental Health and Substance Abuse  
 Education  
 Transportation  
 Victim Services  
 Information Technology  
 Pretrial, Diversion & Reentry

The BOC has also established a liaison committee with the Judicial Branch and the prosecutors to address inter-jurisdictional issues such as video arraignment and bail.

In recognition of the significant effort required to accomplish the BOC's mission and to meet the Legislature's expectations for One Maine One System, in November of 2009 the BOC was able to fill the limited period position of Development Program Manager. This limited period position is currently filled by Kate Snyder.

### **III. ACCOMPLISHMENTS**

#### **Reducing the Rate of Growth in the Cost of Corrections**

The unified corrections system capped property tax contributions to county corrections at \$62.5 million a year; the amount of such expenditures in 2008.

When the BOC was created, county corrections was growing on average 9% per year and the state adult corrections budget was growing on average 5% per year.

In FY09 the county corrections expenditures grew by only 1.8%, and the state adult corrections expenditures actually decreased by -8.01%. In FY10, county correction expenditures grew at less than 1% and the DOC decreased by -0.35%.

Even in the midst of a recession, the State fulfilled its promise to appropriate \$1.5 million in General Fund dollars to the county corrections in FY09 and \$3.5 million in General Fund dollars in FY10.

The overall rate of growth of expenditures associated with the unified corrections system has declined saving Maine property taxpayers millions of dollars.

### **Increasing pretrial diversion and post conviction release**

Using evidence-based practices to manage offenders appropriately by risk and need can significantly reduce recidivism. Using evidence-based practices to manage offenders appropriately by risk and need – starting with their initial contact with the criminal justice system – can significantly reduce recidivism through pretrial and post-conviction or re-entry treatment. Reducing the recidivism rate also reduces the ranks of the incarcerated and relieves the entire criminal justice system of the costs associated with recycling people through the system. The application of evidence-based practices also suggests that for a small group of offenders, their risk to the public is so great, and their potential for rehabilitation is sufficiently small, that greater emphasis on incarceration or separation from the public for longer periods may be warranted. (Final Report of the Corrections Alternative Advisory Committee, December, 2006)

Recently, a Justice Assistance Council grant has allowed the BOC to establish the position of Director of Pretrial, Diversion and Reentry. The newly hired director will coordinate such services in the unified system which will include contract management, research, continuous quality improvement, service provision oversight, and establishment and coordination of regional criminal justice advisory councils. This position is currently filled by Laura Rodas.

### *Maine Coastal Regional Reentry Center*

The Maine Coastal Regional Reentry Center (MCRRC) opened on December 2, 2009 at the former site of the Waldo County Jail. The 32 bed facility is designed to assist and support both state and county inmates who are in transition from incarceration in One Maine, One System correctional facilities to the general community.

### **Reducing the Rate and Use of Incarceration**

The number of incarcerated people in the unified system has leveled. We will continue to monitor this situation.

### **Adopting Major Mission Changes**

In 2009, the BOC approved three major mission changes. The Franklin and Oxford County correctional facilities were downsized from full service jails to 72-hour hold facilities and the Waldo County correctional facility was re-purposed as the Maine Coastal Regional Reentry Center; which operates as a 72-hour hold facility as well as a reentry center for inmates nearing the end of their sentences. These actions resulted in \$1.7 million in savings that was reinvested in the unified system. Additional mission changes in the unified system may be considered in the future.

### **Achieving System Efficiencies**

During its first year, the BOC has taken significant action to streamline the unified system in areas of data collection, bed management, inmate transport, budget process, information sharing and communication.

#### *Development of Transportation Hubs*

The Transportation focus group established a pilot transportation program utilizing a “hub” system in the Northern and Central regions of the state. Coordinating transportation among counties has reduced the number of trips made and the miles being driven.

#### *Development of an Online Bed Availability System*

In 2009, the online County Reporting System was designed and implemented in order to enable the management of all state and county correctional system beds as one correctional system. Prior to this system the reporting was a manual effort.

#### *Conversion to Common Chart of Accounts*

All FY10 county corrections budgets were successfully converted to a common Chart of Accounts budgeting system that runs on a July 1-June 30<sup>th</sup> fiscal year.

#### *Elimination of Marginal Rates*

In FY11, the county correction budgets will be built so that no reimbursement will be necessary.

### **Improving Services**

#### *Mental Health*

The Mental Health focus group is looking at the establishment of a mental health unit within the unified system. The information gleaned from several data-gathering efforts currently underway will help define the mental health services delivery system.

#### *Judiciary*

The BOC and the Corrections Working Group have been working with the Judiciary to promote the use of video arraignments; using this technology will reduce transportation needs and costs and enhance public safety. Other issues involving the Judiciary will also be addressed in this manner.

#### *Victim Services*

The BOC has adopted a model policy for victim notification; the policy will eliminate the disparate methods and policies the county correctional facilities use for victim notification.

#### *Information Technology*

The BOC is working to develop a reporting system to facilitate the electronic reporting of county budget data to the BOC Fiscal Agent. They have also conducted a needs assessment to understand the status of use of video arraignment, as well as a ‘what would it take’ analysis to achieve system-wide use of video arraignment and conferencing.

#### **IV. FUNDING AND BUDGET APPROVAL**

The top priority of the BOC continues to be making sure that One Maine, One System is adequately funded while finding ways to reduce the rate of growth in the cost of corrections.

One of the BOC's most significant responsibilities is to review and approve all county correctional services budgets. This process has taken considerable time and commitment by everyone involved.

In August of 2009, the BOC unanimously approved 15 County and Regional Corrections Operating Budgets for FY10.

While the BOC continues to achieve system efficiencies, it is also charged with accurately identifying and advocating for the financial needs of the system.

The \$62.5 million property tax cap established pursuant to PL 2008, C. 653 is not adequate to fully fund the operations of the redesigned county corrections system. General Fund revenues in the amount of \$1.5M in FY09 and \$3.5M in FY10 have allowed for responsible and responsive county corrections system management and growth. The Supplemental Budget request for \$3.5 million in FY11 is the same request as it was in FY10.

However, the FY11 budget approval process is more challenging. In addition to Maine's serious budget deficit, county corrections are anticipating a net system revenue reduction of \$1.2 million that is largely attributable to a significant reduction in the number of federal inmate boarders.

The counties initial requests for FY11 have been worked with extensively by the Budget Process Focus Group as well as the Corrections Working Group to ensure consistent and uniform budget practices.

Once a system appropriation for the BOC's Investment Fund is known, the BOC will review and approve individual county corrections budgets for FY11.

#### **IV. PRIORITIES FOR 2010**

The BOC continues to guide the development of One Maine, One System by determining the best use of current state, county and regional correctional facilities. Priorities for the coming year are to:

- Develop a long range plan for One Maine One System;
- Increase the use and effectiveness of pretrial services, alternatives to incarceration, home release, and community service;
- Establish a two-year budget process for the FY12-13 biennium;
- Develop and adopt policy to direct capital needs assessment, planning and budgeting;

- Increase the use of video arraignment;
- Develop a Medical/Pharmacy Request for Proposal for the unified system;
- Develop a major substantive rule regarding the certificate of needs process.

Additionally, focus groups have developed a set of priorities for 2010, including:

### **Pretrial Diversion and Reentry**

- Increase the system-wide capacity for pretrial services and Title 30-A release.
- Develop a strategy, plan, timeline, and an RFP process to consolidate contracts for pretrial services, Title 30-A release, and/or other programs into regional contracts.
- Identify performance measures for such programs and the data that will be necessary to track progress against those measures.
- Adopt a statewide pretrial risk assessment tool.
- Improve coordination and expansion of alternative sentencing programs.
- Increase interagency collaborations regarding reentry.
- Identify a site for a second reentry center.
- Increase outreach and collaboration with Judiciary, District Attorneys and other stakeholders.

### **Medical/Pharmacy**

- Continue to refine the array of health care services in response to systemic changes proposed through the BOC.
- Develop a process to begin to standardize health care policies and procedures across the system recognizing that this is an incremental process.
- Finalize and promulgate the policy and procedures and supporting Memorandum of Understanding that will allow for county use of the Maine State Prison (MSP) Infirmary, and track its utilization.
- Develop a health care statistical form for standardized data collection purposes.
- Pursue a consolidated statewide medical/pharmacy RFP and contract(s).

### **Transportation**

- Create a regional transportation HUB plan for the southern region of Maine.

### **Victim Services**

- Recommend a pilot program at the Maine Coastal Regional Reentry Center to implement the restitution collection process to better serve the needs of crime victims.

### **Technology**

- Implement the 'Financials Module' which will facilitate the electronic reporting of county budget data.
- Complete and deliver the Video Arraignment Needs Assessment.

### **Education**

- Administer a comprehensive educational survey to all One Maine One System facilities.
- Develop a correctional educational plan for the unified correctional system.

## **V. LEGISLATION**

The following bill is being considered by the 124th Maine Legislature during this Second Regular Session:

- LD 1740 (HP 1237) "Resolve, Regarding Legislative Review of Chapter 2: Change of Use, Downsizing, or Closure of Correctional Facilities, a Major Substantive Rule of the State Board of Corrections"; Final Adoption of Chapter 2: Change of Use, Downsizing, or Closure of Correctional Facilities is submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, sub-chapter 2-A.

### **Attachments:**

Board of Corrections Organization Chart – January 2010

Handout from October, 2009 Judicial Conference

Waldo Reentry Center December, 2009 Open House handout