



County Corrections Professional Standards Council

January 12, 2023, virtual meeting

Attendance:

Commissioner Steve Gorden, MCCA
Sheriff Dale P. Lancaster, MSA
Commissioner Norm Fournier, MCCA
Sheriff Scott Nichols, MSA
Rebecca Graham, MMA
Commissioner Randall Liberty, MDOC
Steven French, MDOC

Guests:

Sheriff Todd Brackett, MSA
Lauren Haven, MCCA
Mitchell Boynton, MDOC
Scott Ferguson, KSO
MSA Staff: Mary-Anne LaMarre

Commissioner Gorden opened the meeting at 11:00 AM.

Commissioner Fournier moved that we accept the December 8, 2022, minutes as presented. Sheriff Lancaster seconded the motion. Motion passed.

Commissioner Gorden brought up the recently released jail report that was distributed by MDOC to the Joint Standing Committee on Criminal Justice and Public Safety. Rebecca Graham noted that she noted that Franklin County's report appears to reflect a surplus of \$2,000,000.

Commissioner Gorden added that including Franklin, the report appears to show a collective county shortfall of roughly two million state-wide.

Commissioner Gorden asked Sheriff Lancaster about the jail population management sub-committee and if he could report out. Sheriff Lancaster asked for clarification pertaining to goals for this sub-committee. It's to examine internal and external operations of the jail. Sheriff Lancaster spoke to Sheriff Brackett about spearheading this group. Should we have sheriffs or jail administrators on this group? Commissioner Gorden noted that JAs should be on this group, and he provided recommendations. Sheriff Lancaster concurred, and

Sheriff Brackett agreed to oversee this sub-committee. Sheriff Brackett graciously agreed to lead this group. Rebecca noted that in addition to looking at reporting mechanisms, what are we not capturing?

There is some confusion over which systems are currently being used and what data is collected by these systems. Is it adequate for our needs? Rebecca added that state sanctioned inmates was still an objective of this bill. She indicated that the snapshot provided during creation of the Council wasn't sustainable for moving forward with the state sanctioned inmate model. She went on to say that the state needs real-time data to incorporate state sanctioned inmates into reporting. Sheriff Nichols questioned whether or not SSI were still being considered and Rebecca indicated SSI is still very much part of the solution.

Sheriff Brackett asked what the Council what his role would be as chair of this sub-committee. Commissioner Gorden asked group if the Council wants to pick chairs or let sub-committee pick chairs. Rebecca noted that we should focus on our expectations of sub-committees before chairs are selected.

Sheriff Brackett offered to put together an agenda and take it to first meeting. He will report back to Council.

Commissioner Gorden asked group for approval and general consensus was in agreement.

Rebecca agreed to chair finance sub-committee's first meeting and will construct an agenda. Sheriff Lancaster asked that Sheriff Morton be added to finance committee. No opposition

Rebecca asked that the finance committee collect shortfall numbers from each county and Commissioner Gorden said Scott Ferguson offered to do that.

Commissioner Gorden noted that the legislative committee is the Council as a whole.

Commissioner Liberty joined the meeting and Commissioner Gorden asked for Commissioner Liberty's thoughts. Commissioner Liberty asked Council if report was missing any information that the Council would like included. Commissioner Gorden noted that the budget data provided in the report is six months behind what jails will be requesting for the upcoming year. Commissioner Liberty responded that he doesn't have any shortfall data. There hasn't been a central depository to collect all the information to ascertain that number.

Commissioner Gorden asked if data submitted through CRAS is inadequate. Commissioner Liberty said inadequate, not timely, there's a lot of data to gather. He also asked that Mitchell Boynton be added to future Council communications. He also asked for Mr. Boynton to update council. Mr. Boynton noted that not all counties have submitted numbers, and several have not submitted budgets at all.

Commissioner Fournier suggested that penalties be applied to counties that have not submitted a budget.

Sheriff Lancaster noted that the vast majority of budgets are dedicated to payroll. Rebecca asked who is responsible for submitting numbers to DOC. Rebecca asked if we should add a finance director to budget sub-committee. CRAS comes out of finance, BARS come from jails, according to Scott Ferguson. Rebecca asked what the barriers are for not submitting data in a timely manner. Scott noted that Mitch needs a position to ensure data is being entered correctly and the only way we will see standardization is through oversight. Commissioner Gorden is hoping to identify necessary changes and how to finance.

Commissioner Gorden recapped to say that Rebecca will chair finance sub-committee. Rebecca clarified that she will pull group together and create agenda at this point. Sheriff Lancaster confirmed that Sheriff Morton will be the MSA representative on the finance sub-committee.

Commissioner Gorden suggested we ask these sub-committees to report back to the Council in a timely manner. Commissioner Fournier suggested that we work around when this data is needed. Commissioner Gorden asked Commissioner Liberty when he will need data. Commissioner Liberty said that if there's an ask for supplemental, you must find a legislator and get that into their hands now. There is a lot of work to be done if you're in need of supplemental now. We also need to talk about distribution of funds.

Commissioner Gorden said that the majority of members on this committee are volunteers and we may be unable to conduct the work in a timely manner. Commissioner Liberty replied with counties need to lower expectations or find a way to do the work needed to push forward an ask.

Commissioner Gorden noted that some counties are not reporting appropriately, and other counties are made to suffer. Sheriff Nichols added that while Franklin was reported as one of the counties that did not report in CRAS earlier in this meeting, his finance director emailed him an 86-page CRAS report that was submitted. Scott Ferguson made the offer to provide CRAS training to anyone that needs it.

Rebecca offered to host a zoom training for CRAS and record for those unavailable to attend.

Commissioner Gorden returned to the topic of the Governor's budget and brought up the supplemental budget process. He noted that his personnel increase was 26% in the jail as they cannot compete with other employers. His jail has had a huge increase in health costs. Cumberland really needs supplemental and suspects our need will be a minimum of 1.4 million. He stated that we absolutely need to go for supplemental.

Commissioner Fournier asked Commissioner Liberty if he had any thoughts about asking for an increase for the jails as no inflationary increase was added for jails. He went on to say he wants to see the Council take a vote, at least an inflationary increase, for upcoming year. Commissioner Gorden asked if that was a motion and asked for a second. Sheriff Lancaster wanted clarification and asked that what we're voting on is asking Governor for an increase rather than going for supplemental. Commissioner Liberty asked for what the increase ask is that counties are looking for. Commissioner Gorden provided \$1,423,974.00 which reflects a cost-of-living increase. Commissioner Liberty asked if this number reflects an increase of 7% and Commissioner Gorden said yes. Commissioner Gorden said it was on one year.

There was some concern about whether we have an actual number. Sheriff Lancaster informed group that the MSA is currently in the process of collecting shortfall numbers from around the state to ensure accuracy. Commissioner Liberty asked what are counties doing to provide decrease populations, what are you doing for efficiencies, what are counties doing with ARP (American Rescue Plan) funds? Sheriff Lancaster pointed out that increases are due to increased medical costs and increases in payroll. Commissioner Liberty replied that we need to document these reasons with actual data.

Commissioner Gorden said he supported the 1.4 to try and prevent property tax increase. "If we don't second Commissioner Fournier's motion, what are our options?", asked Sheriff Lancaster. Commissioner Fournier replied that our only other option is to accept the 20.3. Commissioner Gorden added that the 1.4 is more reasonable but it's hard to decide without accurate information. Commissioner Fournier urged Commissioner

Gorden to take a vote. Commissioner Gorden asked for more feedback and offered to hold off on vote until we have accurate numbers. Commissioner Fournier argued that it may be too late and if we can get 1.4 in Governor's budget, we should take it.

Commissioner Gorden took a vote and the motion carried.

Commissioner Gorden noted that we added the data collection systems, once we set up committees, is the state going to fund the data system or collection of data? Commissioner Liberty had departed so Rebecca answered that the data collection is to benefit counties. Counties want to control it and there's no incentive for state to fund. There are grants available that the Maine Sheriffs Association to apply for to fund this data collection system. Scott asked what's wrong with the current system other than we're not forcing counties to be implementing. Scott noted we need to require counties to submit. Rebecca reminded members that this is the Council's job to require, and statute contains penalties for counties that don't report.

Commissioner Gorden noted that if one county doesn't report, it shouldn't impact other counties. The objective is to create a partnership with MDOC, and it will best serve counties. I don't want to ask my constituents for more tax funds. How do we ask for assistance in an on-going basis.

Sheriff Brackett noted that the state will not see any benefits to this data system, they will not agree to help fund. Commissioner Fournier suggested we let the sub-committees do their work and see if the information we collect is sufficient.

Commissioner Fournier moved that we adjourn at 12:37. Sheriff Lancaster seconded the motion. Motion carried.

Next meeting date is January 26, 2023.

DRAFT