

Corrections Agreement in Principle

January 29, 2008

The Department of Corrections and the Sheriffs and County Commissioners Associations have reached an agreement in principle to improve the delivery of corrections in Maine. The agreement in principle is as follows:

Corrections Agreement in Principle

1. State Board of Corrections

A State Board of Corrections is created.

o Composition

- The Board consists of 9 members.
- One representative will be a sheriff selected from a list of 3 nominations submitted to the Governor by a statewide organization representing Sheriffs.
- One representative will be a county commissioner selected from a list of 3 nominations submitted to the Governor by a statewide organization representing county commissioners.
- Two representatives will be representatives of the State.
- Five representatives will be chosen at-large by the Governor.
- All representatives will be appointed by the Governor and are subject to confirmation by the Joint Standing Committee on Criminal Justice and Public Safety.

o Duties: The Board will have the following duties:

- Determine individual facility use (including location of Mental Health specialty unit(s), women's units, etc.) and appropriate staffing levels at each facility.
- Set yearly growth limit for each county and approve any budget requests to exceed set limit.
- Create uniform policy and procedures for consistent system-wide pre-trial, revocation and re-entry practices.
- Establish a "Certificate of Need" process for any future state or county capital construction projects.
- Implement—where appropriate—bulk purchasing of commodities and services.
- Develop a plan for deploying a system-wide information management system.
- Work within established timeframe to achieve systemic cost savings through jail use or other efficiencies. Any cost savings achieved will be re-invested in the system, placed into a reserve for future capital needs, or to the extent possible, sent back to the taxpayers as property tax relief.
- Focus on re-investment strategies in system to achieve better outcomes for offenders.
- Assist counties with working toward national accreditation.
- Set a fixed boarding rate for the system with a goal of eventually eliminating boarding costs.
- Report at least annually to the Joint Standing Committee on Criminal Justice and Public Safety

2. Corrections Working Group

An informal working group consisting of representatives of the Department of Corrections,

Sheriffs and County Commissioners will be established. The group will meet regularly to engage in information sharing and to discuss and resolve any issues or problems experienced in daily operation of the corrections system.

3. Department of Corrections

- Under this plan, the Department of Corrections is responsible for:
- Managing offender bed space throughout the system. Counties will report available bed space daily to the DOC.
- Carrying out directives of the Board of Corrections.
- Recommending a plan for the future use and need for correctional facilities and re-investment strategies to the Board of Corrections.
- Recommending uniform policies and procedures for pre-trial, revocation and re-entry services to the Board of Corrections.
- Inspecting and investigating county facilities consistent with current practice.
- Approving of Mental Health placements.
- Staffing the Board of Corrections.

4. Financing

- The State will pay the counties' current debt service of \$10.25 million.
- The State will restore \$4.6 million of the subsidy to the counties for FY09 (achieved by eliminating \$3.1 million cost to board State inmates with the counties and \$1.5 million in reductions to DOC budget).
- The counties will provide 100 beds to the State without charge effective July 1, 2008.
- The State will freeze counties' property tax assessments for jail services at the 2008 budgeted jail costs not including debt service.
- The baseline for Somerset County assessment is the operational and maintenance costs of the new facility when opened.
- The State will assume the cost for future growth to the corrections system.
- When the system can accommodate federal boarders, a county will maintain any revenue it receives for the boarders.
- The State Board of Corrections will have its own budget line. The Community Corrections Act money and subsidy will be removed from the Department of Corrections budget and transferred to the State Board of Corrections for distribution.