

Corrections Compromise Plan

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Prepared by the Department of Corrections, Maine Sheriffs Association, Maine County Commissioners Association, Maine Municipal Association

Goals:

- Reduce burden on property tax.
- Manage the growth in corrections costs.
- Avoid future costs of new construction.
- Create efficiencies.
- Improve offender outcomes.

This proposal has the support of the Governor, Commissioner of Corrections, Sheriffs Association, County Commissioners Association, and the Maine Municipal Association.

1. State Board of Corrections

A State Board of Corrections is created.

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.
- One representative will be a municipal official selected from a list of three nominations submitted to the Governor by a statewide organization representing elected and appointed municipal officers and officials.
- Two representatives will be representatives of the executive branch.
- Four representatives will be public members. Of the public members, one member shall be selected from a list of 3 nominations submitted to the Governor by a statewide organization representing county commissioners
- All representatives will be appointed by the Governor and, with the exception of the state representatives, will be subject to review by the Joint Standing Committee on Criminal Justice and Public Safety and confirmation by the full Senate.

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 limitation for the correctional services expenditures in 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 correctional capital construction projects.
- Implement—where appropriate—bulk purchasing of commodities and services.
- Work to achieve systemic cost savings through downsizing or other efficiencies. Any cost savings achieved will be re-invested in the system or placed into a reserve for future capital needs.
- Focus on re-investment strategies in system to achieve better outcomes for offenders and reduce the rate of incarceration.
- 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

A 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.
- Recommending a downsizing plan 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.
- Providing administrative support to the Board of Corrections.

4. Counties

Under this plan, the counties are responsible for:

- Day to day operation of the county jails.
- Collecting tax assessments from municipalities for the provision of correctional services (capped at FY08 level) and for retiring the county jail debt in existence as of July 1, 2008.
- Submitting county's annual correctional services budget to the State Board.
- Recommending a downsizing plan 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.

5. Financing

- The State will freeze counties' property tax assessments for correctional services at the 2008 budgeted jail costs not including debt service.
- The baseline for Somerset County property tax assessment is the operational and maintenance costs of the new facility when opened and operating at a level sufficient to sustain the average daily number of inmates from Somerset County.
- The state will assume the cost for future growth to the corrections system.
- The State will restore \$5.6 million of the subsidy to the counties for FY09.
- The counties will provide 100 beds to the State for a year at the county's "marginal cost" effective July 1, 2008.
- When the system can accommodate federal boarders, a county will maintain any revenue it receives for the boarders. Such revenue must be used to offset any costs to the state for that county's growth.
- The counties' current debt service of \$10.25 million will be paid by the county that issued the debt and is not included in the county's frozen property tax assessment. The BOC will propose to the Governor a biennial budget which will include an appropriation to the Corrections Investment Fund of an amount equal to the difference between FY08 debt and the current year's debt.
- The State Board of Corrections will administer the State Board of Corrections Investment Fund which will include: any savings achieved where facilities or services have been closed or downsized; any savings achieved as a result of Board directives; funds formerly appropriated to the County Jail Prisoner Support and Community Corrections Fund; and, money from other designated sources.