

CCPSC Members present:  
Commissioner Gorden, MCCA, Chair  
Commissioner Fournier, MCCA  
Steve French, MDOC  
Sheriff Nichols, MSA  
Sheriff Lancaster, MSA  
Commissioner Liberty, MDOC  
Rebecca Graham, MMA

Guests:  
Sheriff Brackett, MSA  
Mary-Anne LaMarre, CCPSC Clerk

Commissioner Gorden opened the meeting at 11:00.

Motion to approve the May 23 minutes was made by Commissioner Fournier and seconded by Sheriff Lancaster. Motion carried.

Commissioner Liberty noted that payment to Oxford County is held up as they have not yet submitted their numbers to release their payment. Commissioner Liberty asked if CCPSC hoped to meet with DAFS. Commissioner Gorden would like to include Scott Ferguson in the conversation.

Commissioner Liberty is concerned about chronic overcrowding. Sheriff Brackett added that the county in question has been working to reduce that number.

Pre-trial numbers are impacted by local courts. Commissioner Liberty added that this is an enormous issue. Sheriff Brackett noted that counties report to judges and they're keeping them informed. A lot of these cases take a long time; however, the pretrial population is the cause of chronic overcrowding. He went on to say maybe the courts could address if they had resources. Perhaps we should reach out to the courts administration. Rebecca proposed meeting with the judicial system to discuss as the Council. Commissioner Gorden wants to collect numbers that reflect the cost of keeping these inmates in custody.

Conversation continued with Rebecca noting that we must begin to collect data. Commissioner Gorden agreed that we need to begin to collect data. Sheriff Lancaster asked if State Probation and parole could assist, however, the current jail that is overcrowded will not accept that assistance. Sheriff Lancaster noted that there is going to be a cost, no matter what solution we develop.

Sheriff Brackett reminded Council members that it appears the State is at the point where they will make changes, but this is an opportunity for the Council to assist. Data collection should not focus on what's going on, it should be focused on how other jails have been successful with their overcrowding. Commissioner Liberty reminded members that if one county is overpopulated, in this case 34 over maximum capacity, it's a liability to all counties. Failure to act is deliberate indifference. Commissioner Fournier concurs and as Risk Pool chair, he's seeing these cases coming in regularly.

Commissioner Gorden noted that we need to act now, and the Council needs to develop a sub-committee to address. Rebecca respectfully disagreed and stated this should be conducted deliberately by Council members.

Commissioner Liberty – there are methods to address overcrowding and the sixteen sheriffs collectively have extraordinary experience. Pretrial services, etc., to address. For the State to continue to allow counties to continue to violate creates safety issues.

Sheriff Lancaster suggested we meet with the sheriff operating the overcrowded jail to have him explain situation and find ways to assist him in reducing his population. We don't know what this sheriff has done.

Rebecca Graham moved that we set a date to meet with the Androscoggin County and advise the Commissioner to take action to develop rulemaking to address. Commissioner Fournier seconded the motion. Commissioner Liberty noted the rulemaking process is underway and he will report progress to Council. Sheriff Brackett noted that the Council is unrelated to the MCCA risk pool. Sheriff Lancaster agreed we need to bring Sheriff Samson in to address. Motion carried unanimously.

Steve French was asked if any other jails are facing overcrowding problems and he indicated that aside from some challenges in Penobscot, other jails are compliant. Commissioner Liberty added that Penobscot is doing exceptionally well.

MAT distribution will happen after August 9 and counties will receive the amount identified as MAT shortfall. Sheriff Lancaster supported this and added that it would be an incentive for counties to participate.

Rebecca asked if we are moving forward with payment to MSA for donated time.

Sheriff Lancaster moved that the remaining \$75,000 be distributed to counties that did not submit MAT shortfalls. Commissioner Fournier seconded the motion. Commissioner Liberty noted he had to confirm the legality. Motion carried. Continued discussion included a mandate that those counties report to Council before distribution.

Rebecca asked if members had availability June 25 in the AM would be a convenient time to meet. All in attendance are available 9:00. Next Council meeting June 28 at 11:00.

M. LaMarre provided an update on the Adequate Contact with Counsel subcommittee.

State funding requirements: Rebecca noted that statute authorizes expenses only. The other concern pertains to the topic of the website. Rebecca added that we currently do not have the ability to maintain Council website. M. LaMarre will research and report back to Council. Rebecca moved that M. LaMarre pursue obtaining website exclusively for Council. Commissioner Fournier seconded. Motion carried.

No update on data subcommittee.

Rebecca offered to chair a legislative subcommittee. M. LaMarre will staff.

Membership for next term: MSA members will remain the same. Other organizations will report back their selections.

Motion to adjourn was made by Sheriff Lancaster and seconded by Commissioner Liberty at 12:30. Motion carried.