



County Corrections Professional Standards Council

Meeting Agenda - Strategic Planning Session
Thursday June 26, 2025, 9:00 AM
MCCA Conference Room - 4 Gabriel Drive, STE 2, Augusta

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|----------|---|
| 9:00 AM | Welcome and Introductions |
| 9:15 AM | Review Duties
(Title 34-A Section 1210-F)
(LD719) |
| 10:00 AM | Review/Approve Council Bylaws |
| 10:45 AM | Break |
| 11:00 AM | Review Work Plan |
| | <ol style="list-style-type: none">1. October 1 Community Corrections reporting – Preparation and submission of the required community corrections report by the October 1 deadline.2. Review jail standards – Prioritize for discussion/updates/edits3. Unfunded mandates – A comprehensive review and tracking of all unfunded mandates to ensure appropriate follow-up. (LD 719)4. Budget preparation – Examine future needs for state support (LD719), to included further development of fiscal impact worksheets in preparation for supplemental.5. Review audit status – Examine ways to incentivize compliance (LD719)6. Develop transportation system (HUB) |
| 12:30 PM | Lunch |
| 1:00 PM | Action items & committee assignments |
| 1:30 PM | Long term planning (may require legislation)

(Reimbursement for incarceration over 9-months)
(Regionalization) |
| 2:00 PM | Adjourn |

Title 34-A §1210-F. County Corrections Professional Standards Council

The County Corrections Professional Standards Council, established in [Title 5, section 12004-G, subsection 6-D](#) and referred to in this section as "the council," is established **to evaluate and advise the commissioner with regard to the composition of programs and services required pursuant to [section 1208-B, subsection 4](#); to advise the commissioner with regard to adopting rules and standards for the jails; to develop rules for reporting to the department the information required in [section 1208-B, subsection 5](#) and, beginning July 1, 2023, as required in [section 1210-E, subsection 6](#); to develop budget recommendations for the department related to the County Jail Operations Fund established in [section 1210-E](#), the recommendations for which must be submitted to the commissioner and the Governor as part of the State's biennial budget process; to make supplemental county jail funding recommendations to the department related to the fund as may be needed from time to time to address shortfalls, emergencies or other needs; and to consider the need for legislation regarding required programs, services and reporting and to submit such legislation to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters.**

Duties of the Council

1. To evaluate and advise the Commissioner with regard to the composition of programs and services required pursuant to section 1208-B subsection 4:
 - a. Inmate Transportation
 - b. MAT
 - c. Mental Health Treatment
 - d. Community Corrections (Pretrial or conditional release)
 - e. Technical Assistance for Health Care Screenings/Assessments
2. To advise the commissioner with regard to adopting rules and standards for the jails.
3. To develop rules for reporting to the Department information required in section 1208-B subsection 5:
 - a. Jail Revenues and Expenses
 - b. Jail Population Data
 - c. Funding for MAT (Section 1208-B subsection 4.b.)
4. To develop budget recommendations for the department related to the County Jail Operations Fund and to make supplemental county jail funding recommendations to the department related to the fund as may be needed from time to time to address shortfalls.
5. To submit legislation to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters.

LD719: Resolve, to Direct the County Corrections Professional Standards Council to Examine Funding of and Compliance by County and Regional Jails'

'Sec. 1. County Corrections Professional Standards Council report.

Resolved:

That the County Corrections Professional Standards Council, as established in the Maine Revised Statutes, title 5, section 12004-G, subsection 6-D, referred to in this resolve as "the council," shall review information regarding the share of state funding for the County Jail Operations Fund established in Title 34-A, section 1210-E and county and regional jail compliance with certain statutory requirements or rules. In conducting this review, the council shall:

1. Review the status of county and regional jail compliance with audit requirements pursuant to Title 30-A, section 1662, subsection 2 and examine ways to incentivize compliance with these requirements;
2. Review the status of county and regional jail reporting to the Department of Corrections for expenses associated with operating county and regional jails pursuant to Title 34-A, section 1208-B, subsection 5 and examine ways to incentivize compliance with these requirements;
3. Review any unfunded mandates related to county and regional jails;
4. Examine improvements to the operations of the council; and
5. Examine future needs for state support for county and regional jail operations.

Sec. 2. Report.

Resolved:

That, no later than January 15, 2026, the council shall submit a report based on the study under section 1, including any recommendations and suggested legislation, to the Joint Standing Committee on Criminal Justice and Public Safety. The committee may submit legislation based on the report to the Second Regular Session of the 132nd Legislature.'

County Corrections Professional Standards Council Bylaws (Updated June 26, 2025)

Article I: Name

The name of this organization shall be the County Corrections Professional Standards Council (hereinafter referred to as "the Council").

Article II: Purpose & Duties

The purpose & duties of the Council shall be in accordance with Title 34-A Section 1210-F; and any future directives passed by the legislature and signed into law.

1. Evaluate and advise the commissioner regarding the composition of programs and services required pursuant to section 1208-B, subsection 4.
2. Advise the commissioner on adopting rules and standards for the jails.
3. Develop rules for reporting to the department the information required in section 1208-B, subsection 5, and section 1210-E, subsection 6.
4. Develop budget recommendations for the department related to the County Jail Operations Fund, to be submitted to the commissioner and the Governor as part of the State's biennial budget process.
5. Make supplemental county jail funding recommendations to the department to address shortfalls, emergencies, or other needs.
6. Consider and submit needed legislation regarding required programs, services, and reporting to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters.
7. Communicate changes to policy, reporting and processes to the appropriate representatives in each County or Regional Jail.

Article III: Membership

Section 1: Composition

The Council shall consist of seven members appointed by the commissioner as follows:

1. Two members selected from a list of nominations submitted by a statewide association of county commissioners.
2. Two members selected from a list of nominations submitted by a statewide association of sheriffs.
3. One member selected from a list of nominations submitted by a statewide association representing municipalities.
4. Two members appointed from the Department at the MDOC commissioner's discretion.

Section 2: Terms

Council members shall serve for two-year terms and until their successors have been appointed. A vacancy must be filled in the same manner as the original appointment.

Article IV: Officers

Section 1: Officers

The officers of the Council shall be a chairperson, a vice-chairperson, and a secretary.

Section 2: Election and Term

Officers shall be elected by a majority vote of the Council members at the first meeting of the calendar year and shall serve for a term of two years.

Section 3: Duties

1. **Chairperson:** The Chairperson shall preside at all meetings, appoint committee members, and perform other duties as prescribed by the Council.
2. **Vice-Chairperson:** The Vice-Chairperson shall assume the duties of the Chairperson in their absence.
3. **Secretary:** The Secretary shall keep accurate records of all meetings and perform other duties as assigned. The Secretary is not required to be a member of the committee and may be a member of an association with membership on the Council.

Article V: Meetings

Section 1: Regular Meetings

The Council shall hold regular meetings at a time and place designated by the Chairperson and may hold these meetings remotely (Pursuant to Title 1 M.R.S.A. § 403-B). Meetings will be publicly advertised, and able to be publicly attended via the Council's web presence or other method as required.

Section 2: Special Meetings

Special meetings may be called by the Chairperson or by a majority of the Council members.

Section 3: Quorum

A majority of the members of the Council shall constitute a quorum for the transaction of business. Quorum is 4 members of the council.

Article VI: Committees

The Council may establish subcommittees as necessary to carry out its functions that may be led by non-members of the Council for the purposes of reporting back to the Council for matters

requiring approval. The Council shall appoint subcommittee members and designate subcommittee chairpersons by majority vote.

Article VII: Legislative Policy

In regards to legislation to come before the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters, the Council may serve as a conduit for the Legislative Policy Committees for both the Maine Sheriffs Association and the Maine County Commissioners Association.

Article VIII: Reporting to Legislature

By October 1, annually, the Council will contribute to the Department of Corrections Report on Jails as required in Title 34-A section 1210-E subsection 10. The Council will also be responsible for any future reporting directives passed by the Legislature and signed into law.

Article IX: Amendments

These bylaws may be amended by a two-thirds vote of the Council members, provided that the proposed amendments have been submitted in writing at the previous regular meeting.

Article X: Adoption

These bylaws shall become effective upon approval by a majority vote of the Council members and shall remain in effect until amended or repealed.

Legislative Testimony: County Corrections Standards and Legal Compliance in Maine

I. Purpose

This document provides a comprehensive summary of mandatory standards for Maine county jails, their corresponding legal citations, and whether they may represent unfunded or underfunded mandates. It includes statutory, regulatory, and constitutional references and clarifies which obligations arise from best practices versus explicit legal authority.

As part of this review, I have evaluated the current Detention and Correctional Standards for Maine counties and municipalities in comparison to the 1982 County Jail Standards Manual. I confirm that the standards cited in this testimony reflect obligations that were not contained in the 1982 manual and therefore are not subject to the restrictions of Maine's 1992 Unfunded Mandate Law.

Under **Maine Constitution Article IX, Section 21** and **30-A M.R.S. §5685**, any new state-mandated programs or higher levels of service required of local governments must be fully funded by the State, unless the mandate existed prior to the effective date of the statute. Specifically:

30-A M.R.S. §5685(1): "A state mandate is not effective unless funded. A state mandate that is imposed on or after July 1, 1992 that requires a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenues shall not be effective unless the Legislature appropriates or allocates funds to fully fund the mandate from state funds."

Therefore, the listed standards, not present in the 1982 standards manual and enacted or enforced after July 1, 1992, are exempt from the funding requirements established by this statute.

II. Legal Basis and Enactment Table of Mandatory Standards. Key findings:

- A total of **40 standards** in the 2025 manual were not present in the 1982 version.
- Of these, **25 are designated as mandatory**, which may qualify them as unfunded mandates under the 1992 law.
- Several of the mandatory standards are based on state or federal statutes or case law that predates the 1992 unfunded mandate legislation and therefore may be exempt from its provisions.

A. ADMINISTRATION, ACCOUNTING AND INMATE RECORDS

A.6. MANDATORY

The Administrator shall maintain a system to monitor facility operations and programs to ensure compliance with written policies and procedures and standards. Facility compliance monitoring should be managed by a supervisory level staff person.

Evidence of Compliance: Written policy and procedure. Written appointment. Job description. Agency organizational chart. Internal compliance reports.

A.7. MANDATORY

The Administrator shall employ or designate a supervisory level Prison Rape Elimination Act (PREA) Coordinator with sufficient time and authority to develop, implement, and oversee facility efforts to comply with the PREA standards.

Evidence of Compliance: Written policy and procedure. Written appointment. Job description. Agency organizational chart. Interview. Documentation of agency compliance efforts.

A.12.

The Sheriff or Administrator should maintain a disaster recovery plan for all software programs, security systems, records, financial information, and other data stored in electronic media.

Evidence of Compliance: Written policy and procedure. Current disaster recovery plan. Specs on electronic systems.

A.17. MANDATORY 30-A M.R.S. §1651

The sheriff shall appoint a board of 7 visitors for the jail, or in conjunction with one or more other sheriffs a joint board of 7 visitors, with membership as set out in Maine Title 30-A § 1651. The board shall be provided physical access to the jail in order to inspect the jail subject to reasonable restrictions required by the sheriff to ensure the security of the jail. The board shall be provided the opportunity to speak to inmates and staff. The board shall be provided with any information that it requests with regard to the management of the jail. The board shall be provided with the training specified in Maine Title 30-A § 1651. The sheriff shall consider and respond to recommendations made by the board in its annual report with respect to services or treatment for inmates who are mentally ill and the management of the jail.

Evidence of Compliance: Records of appointment of board members and of visits by the board. Responses of the sheriff to board recommendations.

B. TRAINING

B.2.

Written policy, procedure and practice provide that all staff orientation and training be documented in an individual's personnel or training file. At a minimum, documentation should include:

1. Subject/topic area;
2. Date received;
3. Duration of training;
4. Signature of person receiving training;
5. Name of trainer/instructor; and
6. Results of performance evaluation and/or testing as applicable.

Evidence of Compliance: Written policy and procedure. Training records.

B.8. MANDATORY

Written policy, procedure and practice provide that security staff authorized by the Sheriff or, in the case of a regional jail, the Administrator to use a firearm shall receive training and qualify in its use at least annually by an MCJA qualified instructor or equivalent.

Evidence of Compliance: Written policy and procedure. Inventory of authorized staff. Training records.

B.9. MANDATORY

Written policy, procedure and practice provide that staff authorized by the Sheriff or Administrator to use chemical agents or less than lethal weapons shall receive training in their use and handling.

Evidence of Compliance: Written policy and procedure. Inventory of authorized staff. Training records. Interviews.

B.10.

Written policy, procedure and practice provide that at least one staff member on each shift should be certified in a nationally recognized First Aid Program such as the American Red Cross Standard First Aid or the National Safety Council First Aid Program. Written policy, procedure and practice provide that at least one staff member on each shift should be trained in the use of naloxone.

Evidence of Compliance: Shift rosters. Certifications (medical staff may be included).

C. SAFETY AND SECURITY

C.6. MANDATORY

At no time shall inmates have access to facility control rooms.

Evidence of Compliance: Written policy and procedure. Written post orders. Interviews. Observations.

C.14. MANDATORY

Leg or waist restraints may not be used at any time on a pregnant inmate. No restraints may be used on an inmate while in labor or during childbirth. If wrist restraints are used on a pregnant inmate at another time, the corrections officer must apply the least restrictive type of restraints in the least restrictive manner necessary. The Administrator or designee shall produce written findings within 10 days as to the extraordinary circumstance (substantial flight risk or other extraordinary medical or security circumstance that requires restraints to be used to ensure the safety and security of the pregnant inmate) that required the use of the restraints.

Evidence of Compliance: Written policy & procedure. Incident reports. Facility logs. Inmate records. Interviews.

C.16. MANDATORY

Searches of arrestees shall be conducted in compliance with the rules promulgated by the Maine Attorney General (Appendix N). The search of a transgender arrestee shall be consistent with the arrestee's consistently held gender identity except when such search would present significant management or security problems to the jail or threaten the health and safety of the arrestee.

Evidence of Compliance: Written policy and procedure. Search logs. Interviews.

C.18.

The Administrator or supervisory designee shall promote facility security by utilizing the following search protocols:

1. A complete facility shakedown conducted on at least a semiannual basis. Such searches should be recorded in a facility log;
2. Random searches of inmate-occupied areas conducted on an ongoing basis. Such searches should be recorded in a facility log; and
3. Searches of inmate areas conducted in a reasonable manner, which protects property and leaves the area in good order. When possible, inmates should be present when their cells or dorms are searched.

Evidence of Compliance: Written policy and procedure. Written post orders. Facility logs. Interviews. Observations.

C.26. MANDATORY

Any person, on whom chemical agents, firearms, less than lethal weapons or defensive/restraint equipment is used, shall receive medical attention for any injury or complaint of injury as soon as possible. Medical attention or refusal of medical attention should be documented.

Evidence of Compliance: Written policy and procedure. Inmate records. Incident reports. Facility logs. Interviews.

C.27.

In those facilities with Emergency Response or Special Tactical Teams, there should be written policies and procedures on the teams' organization, qualifications, training, use, and equipment.

Evidence of Compliance: Written policy and procedure. Written post orders. Training records.

D. STAFFING AND INMATE SUPERVISION

None (All standards established 1982 or earlier)

E. ADMISSIONS AND RELEASES OF INMATES

E.3. MANDATORY

In cases where an inmate may be exhibiting signs of withdrawal, lack of control, intoxication, suicidal ideation/behavior, or poses some other risk to self or others, the admitting officer shall notify his/her supervisor and take immediate action to help ensure the safety of the inmate and others until the inmate can be evaluated by medical or mental health professionals.

Evidence of Compliance: Written policy and procedure. Post orders. Inmate records. Incident reports. Interviews.

E.17. MANDATORY

If it is known that an inmate being released has an existing warrant or other hold, the facility shall provide notification prior to release to the agency responsible for the warrant or other hold.

Evidence of Compliance: Written policy and procedure. Post orders. Inmate records. Documented correspondence.

E.18. MANDATORY

If it is known that the inmate being released to probation or supervised release for sex offenders has an existing warrant or other hold, the facility shall provide notification prior to release to a Department of Corrections Regional Correctional Administrator and/or Regional Correctional Manager in the region in which the inmate intends to reside.

(Contact information can be found at <http://www.maine.gov/corrections/adult/index.htm>)

Evidence of Compliance: Written policy and procedure. Post orders. Inmate records. Documented correspondence.

E.19. MANDATORY

Written policy, procedure and practice provide that inmates who have a court order or probation, supervised release for sex offenders, or conditional release condition of no contact with a victim shall be notified of such conditions prior to release. Notification shall be documented.

Evidence of Compliance: Written policy and procedure. Post orders. Inmate records. Interviews.

F. INMATE CLASSIFICATIONS

None (All standards established 1982 or earlier)

G. INMATE SEPARATION

G.5. MANDATORY

Jail staff shall address a transgender inmate in a manner that is consistent with the inmate's consistently held gender identity.

Evidence of Compliance: Written policy and procedure. Post orders. Interviews. Observations.

H. INMATE DISCIPLINE

None (All standards established 1982 or earlier)

I. SPECIAL MANAGEMENT INMATES

None (All standards established 1982 or earlier)

J. INMATE COMMUNICATIONS

J.6.

Facilities should identify and stamp all outgoing inmate mail as being sent from a detention or correctional facility.

Evidence of Compliance: Written policy and procedure. Post orders. Copies of stamped mail. Interviews. Observations.

J.8.

If the facility provides access to telephones, inmate access shall only be limited by written justification. Phone rates shall comply with applicable state and federal regulations.

Evidence of Compliance: Written policy and procedure. Post orders. Inmate handbook.

J.14.

Facilities should establish procedures governing visits by ex-inmates.

Evidence of Compliance: Written policy and procedure. Visit logs. Inmate records.

J.18.

Video visitation may be provided as a part of the facility's visiting program as follows:

1. Non-contact visits when the inmate or the visitor poses a substantiated security risk may be through video visiting;
2. Video visiting may be used as a substitute for in-person visits when consented to by both the inmate and the visiting party;
3. Video visiting may be used for all visitation when the jail is unable to provide a safe and secure location for any in-person visitation, provided this is on a short-term basis only;
4. Those facilities utilizing video conferencing to conduct visits should maintain sufficient equipment, hardware, software, and networks necessary to provide a fully functioning video and audio-conferencing system; and
5. Those facilities utilizing video conferencing should include visiting rules and regulations, a schedule for video visits, and a list of available remote off-site hosts where visitors may have video conference access with the facility according to a schedule established by the facility.

Evidence of Compliance: Written policy and procedure. Provider contract. Visit rules. Visit schedule. Visit logs. Interviews. Observations.

J.19.

Facilities should maintain written records of all inmate visits. Records should include:

1. The name of the inmate and visitor(s);
2. The date;
3. The time visits begin and end; and

4. Any other pertinent information.

Evidence of Compliance: Written policy and procedure. Visit logs.

J.23. MANDATORY

Written policy, procedure and practice provide for developing and maintaining a registry of the names, telephone numbers and other contact information for attorneys who provide legal services to inmates and for keeping information on the registry confidential, except that upon the request of the attorney or the attorney's client who is an inmate, the registration of an attorney's name, telephone number and other contact information shall be confirmed. The registry shall consist of names, telephone numbers and other contact information provided to the jail by the Maine Commission on Indigent Legal Services, as well as names, telephone numbers and other contact information provided to the jail by individual attorneys, and the jail shall proactively confirm with the source of the information that it has been added to the registry. Calls made by inmates to phone numbers on the registry shall not be monitored.

Evidence of Compliance: Written policy and procedure. Legal requests. Interviews.

K. MEDICAL AND MENTAL HEALTH SERVICES

K.13.

All personnel should be familiar with treatment services available to inmates so that they may refer inmates to appropriate services.

Evidence of Compliance: Written policy and procedure. Training records. Interviews.

K.18. MANDATORY

The Sheriff or Multi-County Jail Authority or Administrator, in consultation with the medical care provider, shall develop policies and procedures and a written communicable and infectious disease prevention and control program which is reviewed by the Department of Corrections and the Maine Center for Disease Control and Prevention (CDC) and provided to the jail's board of visitors and which shall include, at a minimum, prevention measures, an exposure control plan, standard isolation and other precautions for inmates and staff, and requirements for reporting outbreaks. The policies and procedures and program shall cover communicable and infectious diseases including, but not limited to, coronavirus, tuberculosis, hepatitis, and HIV, and shall be reviewed at least annually and updated as necessary consistent with Maine CDC and other applicable guidelines. In the event there is an outbreak of a communicable or infectious disease, the Sheriff or Multi-County Jail Authority or Administrator shall report such outbreak to the Department of Corrections, the CDC, and the jail's board of visitors and provide a copy of the written plan for responding to the outbreak.

Evidence of Compliance: Written policy and procedures. Written disease control program. Records of reporting. Written response plan. Inmate records. Facility logs. Interviews. Observations.

K.20. MANDATORY 22 M.R.S. §2353

Naloxone is readily available in the jail for emergency use in the event an individual is suffering from a possible opioid overdose. Naloxone shall only be administered by staff trained in its use, unless trained staff is unavailable.

Evidence of Compliance: Written policy and procedures. Incident Reports. Interviews. Observations.

K.22. MANDATORY 30-A M.R.S. §1561-A

Written policy, procedure and practice provide that if a female inmate is being transported for medical care, at least one female corrections officer shall be present during the transport, unless there is no female corrections officer available for the transport.

Evidence of Compliance: Written policy and procedure. Post orders. Transport logs. Interviews.

K23. MANDATORY 30-A M.R.S. §1561-A

If a female inmate is being transported for medical care and safety and security considerations require that a corrections officer be present in the room during the provision of the care, and if a female officer was present during the transport, the female officer shall be present in the room. If safety and security considerations do not require that a corrections officer be present in the room during the provision of the care, all corrections officers shall wait immediately outside the room while care is being provided. In either case, the inmate shall be afforded the greatest amount of privacy practicable during the provision of care consistent with safety and security considerations.

Evidence of Compliance: Written policy and procedure. Post orders. Inmate Records. Interviews.

L. FOOD SERVICES

L.5. MANDATORY

There shall not be a span of more than 14 hours between the evening meal and breakfast.

Evidence of Compliance: Written policy and procedure. Plan of the day. Facility logs. Interviews. Observations.

L.16. MANDATORY

The Food Service Manager shall keep, for a 72-hour period, a ghost tray identical to each meal served.

Evidence of Compliance: Written policy and procedure. Post orders. Menus. Facility logs. Observations.

M. INMATE ACTIVITIES AND SERVICES

M.1.

Each facility should maintain a Plan of the Day, which outlines inmate activities for each day of the week. Plans of the Day should be posted in areas to which inmates have access and include at a minimum:

1. Wake up;

2. Meals;
3. Housekeeping/work assignments/inspection;
4. Med call;
5. Sick call;
6. Mail call;
7. Visitation;
8. Program activities;
9. Counts; and
10. Lock down/lights out.

Evidence of Compliance: Written policy and procedure. Post orders. Inmate handbook. Plan of the day. Observations.

N. INMATE PROGRAMS

None (All standards established 1982 or earlier)

O. SANITATION AND LIVING CONDITIONS

O.7.

Pretrial detainees should not be required to work except to do personal housekeeping in their assigned cell and/or housing unit.

Evidence of Compliance: Written policy and procedure. Inmate handbook. Interviews. Observations.

P. FACILITIES

P.1. MANDATORY

Inmates shall be housed only in facilities licensed by the Department of Corrections.

Evidence of Compliance: Current licensure.

P.6.

Each facility's physical plant and mechanical systems should have a written plan for facility maintenance to include at a minimum:

1. Preventive maintenance;
2. Routine and emergency repairs;
3. Inspection of the facility and equipment; and
4. Testing of emergency and detection systems.

Evidence of Compliance: Written policy and procedure. Written post orders. Maintenance logs. Maintenance orders. Inspection logs. Test logs. Interviews. Observations.

P.23. MANDATORY

Each cell shall have at least 3 square feet of clear security glazing or 4 square feet of open bars which provide a view to the exterior or to a day-space which can be lit by natural light during the daytime and which has at least 10 square feet of clear security glazing providing a view to the exterior.

Evidence of Compliance: Glazing measurements. Interviews. Observations.

P.31.

The population should not exceed the jail's rated capacity. In the event that a jail exceeds or is at risk of exceeding its rated capacity, the jail should take one or more of the following steps, as appropriate:

1. Contact municipal, county, state, and federal law enforcement agencies to request that, where appropriate and practicable, those agencies use the summons and/or bail processes instead of arresting and transporting arrestees to the jail.
2. Review sentenced inmate eligibility for community confinement monitoring and other release programs.
3. Inform the courts and prosecutors so that they may determine if any detainees are eligible for pre-trial supervision in the community.
4. Arrange the transfer of sentenced inmates to other jails.
5. Arrange the transfer of detainees to other jails.
6. If applicable, inform the U.S. Marshal's Service and other relevant federal agencies of the situation so that they may determine whether to remove any current boarders and/or not send any additional boarders.

If all of the above steps have been considered, the jail may contact the Department of Corrections for technical assistance.

Evidence of Compliance: BARS population reports. Logs and records of reviews and contact.

P.32. MANDATORY

Under no circumstance may a jail refuse to admit an individual who has been arrested by a federal, state, county, or municipal law enforcement officer and transported to the jail, except as provided in Standard E.2.

Evidence of Compliance: Facility logs. Intake Records. Interviews.

III. Summary of Statutory Jail Responsibilities (Selected Highlights)

- **Medical & Mental Health Services:** 34-A M.R.S. §1208, §1208-B(1), §1402(5)
- **Attorney-Client Privilege:** 15 M.R.S. §714; 34-A §1208-B(8)

- **Gender Affirming Policies:** 34-A M.R.S. §1208-B(3)
 - **Pregnancy/Restraint Protections:** 34-A M.R.S. §1583
 - **Board of Visitors:** 30-A M.R.S. §1651
 - **Inmate Transportation (Female Officer Requirement):** 30-A M.R.S. §1561-A
 - **Naloxone Availability:** 22 M.R.S. §2353
 - **Jail Intake Requirement:** 25 M.R.S. §1502
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IV. Conclusion

Approximately 65-70% of jail standards are grounded in statute or constitutional case law. The remainder are based on administrative rules or best practices, many of which impose local costs without full state funding. Continued legislative attention is needed to ensure compliance does not violate Maine Constitution Article IX, Section 21 on unfunded mandates.

The standards cited herein were not included in the 1982 jail standards manual, and therefore fall outside the scope of the 1992 Unfunded Mandate Law. This testimony is submitted to clarify the statutory foundation of current county jail standards and assist in evaluating potential fiscal impacts of compliance.

1. **Determine the jail inmate per deim rate from the annual CRAS and fiscal audit data.** The report to CCPSC to be inclusive and contain MDOC CRAS data.
2. **Review Maine Jail Standards** and sort them by the following categories for review:
 - 2.1. Category 1 - Requires immediate review
 - 2.2. Category 2 – Acceptable at this time
 - 2.3. Category 3 – May be eliminatedSince jail standards are to be created and/or reviewed on collaborative basis per state statute, the Council may need to develop a descriptive process of settling areas of disagreements; this may involve legislation but will clearly define for the future the requirements and their costs
3. **Correct the costs of housing a prisoner:**
 - 3.1. Develop language whereby the State will reimburse a jail for prisoner incarceration time longer than 9 months over an aggregated period of time.
 - 3.2. Develop language whereby a county will reimburse the state for housing prisoners
4. **Development of a Prisoner Transportation System:** this is to enable a more efficient use of assets we have within jail systems and to include the use of the MDOC assets when necessary. Since the Council was derived to assist in consolidating incarceration services per the CCPSC and MDOC during testimony, it's appropriate to explore all of these options. A viable transportation system would create the opportunity to have specialties located in fewer facilities
5. **Development of stratoms of incarceration within the county and regional jails and MDOC correctional facilities:**

The growing county and regional jail expenses of housing prisoners and meeting the incrementally increases of promulgated legislative mandates, rules and regulations presents too great a burden, financially, for property taxpayers. It is incongruous that each of the county and regional jails within the State must make available all of the required services all of the time whether they are utilized or not. Consideration should be explored to create facilities that specialize in required services near providers or by categories (i.e. long term sentenced prisoners).

By considering all of the State's correctional facilities as a single system, parts of its necessary expansion and planned facility renewal may be made more equitable and efficient for the aggregate property tax payer.

JAIL DEPARTMENT OF THE COUNTY OF AROOSTOOK, MAINE

**BUDGETARY COMPARISON SCHEDULE - BUDGETARY BASIS
BUDGET AND ACTUAL - GENERAL FUND
FOR THE YEAR ENDED JUNE 30, 2024**

	<u>Budgeted Amounts</u>		<u>Actual</u>	<u>Variance</u>
	<u>Original</u>	<u>Final</u>	<u>Amounts</u>	<u>Positive (Negative)</u>
Budgetary Fund Balance (Deficit), July 1	\$ (152,682)	\$ (152,682)	\$ (152,682)	\$ -
Resources (Inflows):				
Taxes	3,138,409	3,138,409	3,138,409	-
Intergovernmental revenues	1,635,297	1,635,297	1,761,163	125,866
Miscellaneous revenues	85,000	85,000	43,757	(41,243)
Transfers from other governments	218,652	218,652	218,652	-
Amounts Available for Appropriation	<u>4,924,676</u>	<u>4,924,676</u>	<u>5,009,299</u>	<u>84,623</u>
Charges to Appropriations (Outflows):				
Personnel	3,401,011	3,401,011	3,622,476	(221,465)
Contract services	1,239,347	1,239,347	1,102,545	136,802
Commodities	507,000	507,000	515,643	(8,643)
Capital outlay	55,000	55,000	39,596	15,404
Total Charges to Appropriations	<u>5,202,358</u>	<u>5,202,358</u>	<u>5,280,260</u>	<u>(77,902)</u>
Budgetary Fund Balance (Deficit), June 30	<u>\$ (277,682)</u>	<u>\$ (277,682)</u>	<u>\$ (270,961)</u>	<u>\$ 6,721</u>
Utilization of Unassigned Fund Balance	<u>\$ 125,000</u>	<u>\$ 125,000</u>	<u>\$ -</u>	<u>\$ (125,000)</u>

See accompanying independent auditor's report and notes to financial statements.

Table 2
County of Somerset, Maine
Change in Net Position
For the Years Ended June 30,

	Governmental Funds	
	2024	2023
Revenues		
<i>Program Revenues:</i>		
Charges for services	\$ 5,834,052	\$ 5,858,478
Operating grants and contributions	8,504,396	2,477,795
<i>General Revenues:</i>		
Taxes	14,687,703	13,378,567
Investment income	1,093,645	671,800
Miscellaneous revenues	481,878	495,796
Total Revenues	30,601,674	22,882,436
Expenses		
Court Security	251,100	263,019
Emergency Management Agency	201,323	188,917
District Attorney	485,532	476,696
County Commissioners	280,107	318,502
Human Resources	108,165	107,741
Finance/Treasurer	273,745	254,786
County Buildings	209,975	197,107
Jail	9,417,404	8,770,435
Telecommunications	2,069,447	1,507,412
Register of Deeds	270,513	282,868
Technical Services	525,028	844,713
Sheriff	4,911,283	4,034,996
Register of Probate	333,977	283,011
Donations / other	173,766	166,569
Other expenses	-	35,000
Capital outlay	71,499	18,562
Interest on debt service	322,250	386,600
Unallocated depreciation (Note 5)	27,350	27,350
Special projects and reserves	3,605,600	3,163,633
Deferred bond refunding amortization	50,385	50,385
Total Expenses	23,588,449	21,378,302
Change in Net Position	7,013,225	1,504,134
Net Position - July 1, as previously presented	34,757,158	33,253,024
Net Position Corrections	(5,078,297)	-
Net Position - July 1, as restated	29,678,861	33,253,024
Net Position - June 30	\$ 36,692,086	\$ 34,757,158

County	fy24 / Expense Budget (CRAS)	fy24 / Actual Expenses (CRAS)	Expenses according to FY2024 Audit
Androscoggin	\$ 7,923,248.00	\$ 8,031,508.00	\$ 8,384,131.00
Aroostook	\$ 5,202,358.00	\$ 5,295,665.00	\$ 5,280,260.00
Cumberland	\$ 19,888,551.00	\$ 19,968,984.00	n/a
Franklin	\$ 2,885,735.00	\$ 2,963,954.00	\$ 3,321,090.00
Hancock	\$ 3,037,055.00	\$ 3,079,739.00	n/a
Kennebec	\$ 10,610,476.00	\$ 10,202,532.00	\$ 11,968,531.00
Knox	\$ 5,950,286.00	\$ 5,887,179.00	n/a
Oxford	\$ 3,147,472.00	\$ 3,346,067.00	n/a
Penobscot	\$ 15,054,145.00	\$ 14,387,379.00	n/a
Piscataquis	\$ 1,912,358.00	\$ 1,882,061.00	n/a
Somerset	\$ 11,184,895.00	\$ 9,251,205.00	\$ 9,417,404.00
Waldo	\$ 4,218,720.00	\$ 4,117,713.00	n/a
Washington	\$ 3,473,180.00	\$ 3,466,116.00	n/a
York	\$ 12,286,578.00	\$ 14,360,954.00	\$ 15,056,813.00
Two Bridges (Sag & Linc)	\$ 9,415,700.00	\$ 9,343,875.00	\$ 9,493,771.00
Totals	\$ 116,190,757.00	\$ 115,584,931.00	

Stand Alone Jail Audits