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An Act To Better Coordinate and Reduce the Cost of the Delivery of State and County Correctional Services

CONCEPT DRAFT SUMMARY

This bill is a concept draft pursuant to Joint Rule 208.

This bill seeks to establish the Maine Jail and Community Corrections Authority. The membership of the authority consists of state, county and municipal officials and representatives of those involved in the criminal justice system. A majority of the members of the authority are representatives of county government.

The authority is established for the following purposes:

1. To coordinate and oversee a cost-efficient system within the State for the operation and maintenance of county and regional jails and community corrections facilities, programs and services;
2. To facilitate the implementation and delivery of corrections programs and services for pretrial defendants and convicted offenders, consistent with best correctional and evidence-based practices and the protection of public safety;
3. To develop and implement plans for the renovation, improvement and redevelopment of existing jail facilities and for the design and construction of new jail facilities through a certificate of need process to better serve the incarcerated and detained populations and the citizens of the State. The authority may issue bonds and enter into agreements with the counties and the Department of Corrections for these purposes; and
4. To provide a consolidated body representing county and regional jails and community corrections facilities to coordinate with the Department of Corrections on corrections matters, including but not limited to the coordination of jail bed space.

The authority shall manage the county and regional jails and community correctional facilities and programs and services to efficiently allocate human and financial resources, establish uniform criteria for the construction and expansion of jail facilities and develop and implement methods by which the purposes of the authority are best served. Specifically, the authority shall:

1. Create and implement standards of care and operation reflective of best correctional practice for jail facilities;
2. Approve purpose and rated capacities for each jail facility, which may include specialized units, based upon established standards and system need and demand;
3. Conduct inspections of and accredit jail facilities;

4. Coordinate bed space availability and utilization among jails and between the Department of Corrections and jails as needed, considering established criteria, inmate classification, gender, pre-conviction and post-conviction status and special needs including mental health and substance abuse;
5. Establish per diem board rates using a predetermined formula;
6. Establish and operate an intercounty jail inmate transportation system consistent with security interests in order to reduce the overall cost of jail inmate transportation;
7. Establish data collection requirements necessary to monitor the status of county and regional jail populations, to project future capacity needs and to develop recommendations for new or expanded facilities, programs and services. The authority shall review and approve or deny requests for construction of new, expanded or renovated jail facilities using a certificate of need process;
8. Develop, implement and fund community corrections programs and services reflective of evidence-based practices and make them available to all counties. These services must be coordinated in collaboration with the criminal justice planning committees established pursuant to the Maine Revised Statutes, Title 30-A, section 1671;
9. Evaluate implementation of pretrial services for desired outcomes. Pretrial services must be funded using money formerly provided through the Community Corrections Fund and County Jail Prisoner Support Fund under Title 34-A, section 1210-B;
10. Monitor county and regional criminal justice system operations to identify system practices that adversely affect jail populations or operating costs, propose improvements in efficiency and effectiveness, and evaluate implementation of the improvements; and
11. Provide information and assistance to jail officials regarding best correctional and evidence-based practices and provide a forum for sharing information on best correctional and evidence-based practices in use within the State.