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TESTIMONY OF
RANDALL A. LIBERTY COMMISSIONER
DEPARTMENT OF CORRECTIONS

Opposition

LD 128 An Act to Reopen the Downeast Correctional Facility

before the

JOINT STANDING COMMITTEE ON CRIMINAL JUSTICE & PUBLIC SAFETY

March 27, 2019

Senator Deschambault and Representative Warren and other distinguished members of the Criminal Justice and Public Safety committee, I am Randall A. Liberty, Commissioner of the Department of Corrections here to provide testimony in opposition to LD 128.

Good Morning.

As most everyone in this room knows, the Department has looked carefully at the possibility of reopening the existing Downeast Correctional Facility.

This was my first order of business—even before I was confirmed as Commissioner.

I have made it a point to meet with former DCF staff, employers in Downeast, legislators, community members, union representation.

I've toured the facility, I've worked to reopen the lines of communication, I've sought input and collaborated.

There is no doubt in my mind the passion for Downeast runs deep.

After careful examination of costs, the decision to buy or lease an existing property in Washington County and retrofitting that building into a 50-bed pre-release facility has been made.

Ultimately expenses associated with reconditioning the current property to reopen it have proven too costly.

Cost estimates provided to the Department in mid-February 2019 by SMRT estimated \$17.3 million to remediate the current Downeast Correctional Facility.

My team worked hard to lower that number so the option to reopen could remain alive.

The best we could do was to get the estimate down to \$10.7 million.

We looked at the potential for new construction on the current land. That estimate came in around \$9.4 million.

From a fiscal perspective none of those are sound.

In addition to the fiscal impact of remediating the current Downeast facility, there is an environmental impact to take into consideration.

Ecologically, ramifications associated with building demolition and in the reactivating and use of the treatment plant cannot be ignored.

On the other hand, cost estimates for buying an existing property in Washington County, retrofitting it to become a 50-bed pre-release center, is estimated between \$2.1 to \$3.1 million.

This total cost includes purchase of a local underused property; retrofitting the property to meet American Corrections Association (ACA) accreditation standards; furniture; personal costs, and other associated costs.

The estimate also includes approximately \$10,000 for contractual services, including building upkeep.

Leasing an existing property, rather than purchasing could bring the estimate down even further.

We have worked with many in Washington County to put together the proposal for the new Washington County Pre-Release Center.

Our approach considered the labor needs of the community and the need for fiscal discipline.

The Washington County Pre-Release Center will be a fully operational 50-bed pre-release center for male offenders who meet the following criteria:

- Minimum/community security classification by the Department of Corrections;
- Have ties to Washington County as determined by the Department of Corrections;
- Have documented employment aptitude or skill for work in the Downeast region as determined by the Department of Corrections;
- Have no more than 4 years remaining on their sentence as determined by the Department of Corrections;
- Have successfully completed substance use treatment programming appropriate to their level of risk/need as determined by the Department of Corrections.

As we have discussed, a primary function of the Washington County Pre-Release Center will be to ensure the community's labor needs are mitigated with work release offenders.

Additionally, public restitution crews will be available in the immediate and adjacent communities.

The Department is considering providing offenders' access to thousands of hours of education, vocation, therapeutic, and other prosocial programming using tablet technology, as we have in other DOC facilities.

In terms of staffing we propose the facility will have 15 full time onsite Department of Corrections staff.

These positions include:

- One, Correctional Unit Manager
- Two, Correctional Sergeants



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- Ten, Correctional Officers
- One, Vocational Trade Instructor
- One, Community Program Coordinator

The Washington County Pre-Release Center will be under the supervision of the chief administrative officer of the Mountain View Correctional Facility.

The Correctional Unit Manager, like other unit managers of the Department, will serve as the supervisor and leader of this new pre-release center.

That individual will report directly to the Superintendent of Mountain View Correctional Facility.

Because the facility will be a dedicated pre-release center under the supervision of Mountain View, we will share positions and resources with Mountain View Correctional Facility.

Primarily, food service staff and maintenance staff will be shared. This regional approach will keep costs low as it utilizes the economy of scale principal and ensures implementation of American Correctional Association accreditation standards.

The regionalization approach is possible in part because Mountain View is a thriving facility with strong leadership, staff, and community engagement.

At the request of Representative Tuell and others from Downeast, my team has been working with the Sunrise County Economic Council on identifying properties that meet the following criteria:

- Proximity to work release opportunities
- Proximity to restitution opportunities
- Not in immediate area of school
- Ability to retrofit property to meet ACA standards

While we urge the committee to vote ought not to pass on LD 128, I'll stress our sincere desire for collaboration with Representative Tuell, Senator Moore and all others as we move forward on this pre-release center.

Thank You,

I'll take questions.

Randall A. Liberty