



# CUMBERLAND COUNTY SHERIFF'S OFFICE

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## **An Act to Reduce the Cost of Pre-Trial Detention**

Greetings Senator Rosen, Representative Warren and distinguished members of the Criminal Justice and Public Safety committee.

My Name is Kevin Joyce and I am the Sheriff of Cumberland County.

Every year, members of the legislature, leaders of the 28 municipalities in Cumberland County and the property tax payers of Cumberland County implore me to find ways to save money and cut the jail budget. We have tried to find ways to save money, including cutting money in our training account and not increasing our overtime budget although, due to vacancies, FMLA and other non-foreseeable emergencies, common sense would suggest that this line be increased. Recently, our inmate population went down, so we moved inmates around in the facility to maximize our use of space and we closed a small pod and eliminated five positions. We cannot cut any more unless we lower our inmate count and eliminate positions. Safety is paramount for both employee and inmate.

Along with our normal jail population, which consists of those that are a threat to society, or are a flight risk, the last couple of decades has seen the jail become a repository for an ever increasing population of mentally ill, drug/alcohol addicted individuals, homeless in some situations. We need to closely examine what we are using the jail for, both for cost savings and to get the results we as a society need for those suffering with drug addiction or mental illness. Individuals with mental illness or an addiction cycle are repeatedly incarcerated for minor violations. We need to ask ourselves is this the best use of our justice system, limited resources and financial resources? Is this solving the problem faced by these individuals?

Many of my colleagues and I have been looking closer at a better way to utilize the jail. We believe that some non-violent misdemeanors could easily be handled with a summons rather than bringing the individual to the jail. In other words summons and release in some cases is a better use of resources as Jail is not always the answer.

In 2007, a study was conducted by the Muskie School of Public Service showing that the further a municipality is away from the jail, the more apt they are to write summons for non-violent



misdemeanors. The 2007 report states “County law enforcement agencies less than 10 miles from the jail tended to pre-arraign persons issued with a criminal citation at the jail more often than agencies further away. Agencies less than 10 miles away pre-arraigned 55% of persons issued a criminal citation compared to 24% among agencies further away from the jail.”

Currently, on any given weekend, the Cumberland County Jail receives numerous arrestees who have been caught drinking in public (262), disorderly conduct (253) or criminally trespassing (401) and in most cases these individuals are members of the homeless population. These arrestees typically spend a couple of days (typically the weekend) in jail, only to be released by the District Attorney’s Office on Monday as time served.

I asked our medical staff to examine the 262 drinking in public arrests, which involved 167 individuals (a number of repeat offenders) and provide me with the medical cost that was incurred when these individuals came in. The cost was an additional \$4,000.00. Additionally, most of the drinking in public arrests stayed in jail 2-3 days before release. At a daily cost of holding inmates of \$112.00 per day, the average cost to the Cumberland County taxpayer for these arrests alone was \$58,000.00-\$88,000.00 per year. So, once these individuals are arrested and brought to the Cumberland County Jail, the property tax payers of Cumberland County are on the hook to pay the cost for housing these individuals, yet the individuals NEVER go to court. This same process occurs on numerous occasions throughout the month and/or year and often it involves the same individuals.

Many Sheriffs throughout the state having been working to refine various ideas in hopes of coming up with a solution that helps control the cost of running the jails, especially in the area of reducing the cost of pre-trial detention. The problem of homeless mentally ill and/or substance addicted individuals is complex and not solvable by weekends in the jail. It equates to throwing away good money after bad, solving nothing for anyone. The tax payers of Cumberland County and Maine deserve a better solution and that starts with ending the cycle of senseless arrests.

As a last minute addendum to LD 516, we would like to add to the list of exclusions, Chapter 35 which encompasses laws relating to prostitution and human trafficking.

Thank you,

Sheriff Kevin J. Joyce, Cumberland County

