

MAINE STATE LEGISLATURE

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COMMITTEE ON STATE GOVERNMENT
REPORT ON ITS STUDY
RELATING TO THE FUNDING OF
THE MAINE CRIMINAL JUSTICE ACADEMY

Senate

Jerrold B. Speers, Chairman
J. Hollis Wyman
Robert W. Clifford

House

Theodore S. Curtis, Chairman
Richard W. Stillings
Roderick E. Farnham
Hayes E. Gahagan
Harold L. Silverman
Kathleen W. Goodwin
Leighton Cooney
David Bustin
Leon J. Crommett
Mary Najarian

STATE OF MAINE
HOUSE OF REPRESENTATIVES
106TH LEGISLATURE

JOINT ORDER

WHEREAS, an Act to insure permanent funding of the Maine Law Enforcement and Criminal Justice Academy has been indefinitely postponed in both Houses of the Legislature; and

WHEREAS, federal funding for the operation of the academy is scheduled to run out January 1, 1975; and

WHEREAS, the academy has proven itself to be of great benefit to all areas of law enforcement in the State; now, therefore, be it

ORDERED, the Senate concurring, that the Legislative Research Committee is authorized and directed to study the subject matter of the bill:

"AN ACT to Insure Permanent Funding of the Maine Law Enforcement and Criminal Justice Academy," H. P. 1575, L. D. 2004, as introduced at the regular session of the 106th Legislature in order to determine different possibilities of funding the operation of the said academy; and be it further

ORDERED, that the office of the Attorney General and such other agencies or departments as may be determined by the Legislative Research Committee, be authorized and respectfully directed to provide the Committee with such information, technical advice and assistance as the Committee deems necessary or desirable to carry out the purposes of this Order; and be it further

ORDERED, that the Legislative Research Committee report its findings with any proposed legislation or proposed amendments to the next special or regular session of the Legislature; and be it further

ORDERED, that upon passage of this Order, in concurrence, that copies of this Order be transmitted forthwith to said agency specified herein as notice of the pending study.

NAMF: Richard Carey

TOWN: Waterville

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STATE OF MAINE

ONE HUNDRED AND SIXTH LEGISLATURE

COMMITTEE ON STATE GOVERNMENT

January 2, 1974

Funding of the Maine Criminal Justice Academy

The Maine Criminal Justice Academy was established by the Legislature in 1969 to provide systematic professional training for the state's law enforcement officers. During its first years (April 1970 - June 1972) as a contract project with the Maine Municipal Association, and throughout the past school year (1972-73) when the Academy acquired both a physical and organizational location (on the old Thomas College campus in Waterville as part of the Department of Public Safety), operations were financed primarily by federal Law Enforcement Assistance Administration (LEAA) grants under the Omnibus Crime Control and Safe Streets Act. This funding source is scheduled to terminate on December 31, 1974.

The State Government Committee, in its study of the Criminal Justice Academy, has been requested by the Legislative Council of the 106th Legislature to make recommendations on two questions: Should the state fund the Criminal Justice Academy and, if so, what method of funding should be utilized?

The State Government Committee has studied the subject matter of the bill: An Act to Insure Permanent Funding of the Maine Law Enforcement and Criminal Justice Academy, House Paper 1575, Legislative Document 2006, introduced at the regular session of the 106th Legislature, which would have dedicated a percentage of the revenue obtained from District Court fines to provide funding for the Academy. The Committee also reconsidered the subject matter of the bill: An Act to Impose a Surcharge on Fines and Penalties for the Operation of the Maine Law Enforcement and Criminal Justice Academy, House Paper 495, Legislative Document 649, the original draft of Legislative Document 2006, which would have assessed a 10% surcharge on District Court fines to be dedicated to financing the operations of the Academy.

The Committee examined the budget and operations of the Criminal Justice Academy; its programs, goals and directions; the prospects of non-state funding; the District Court fine and penalty system; and the funding mechanisms for police academies in other states. District Court Chief Judge Robert L. Browne; Edward Carrell, Business Manager of the Criminal Justice Academy; Chief Clyde LeClair, head of the Maine Chiefs of Police Association; and David Walchak, Director of the Academy, appeared as witnesses before the Committee.

After careful review, the State Government Committee recommends that the operation of the Maine Criminal Justice Academy should be financed by the state from the General Fund.

In its brief history and constantly evolving role (see Appendix A - History of the Academy), the Criminal Justice Academy has already established a well-functioning training facility and has embarked on the development of a comprehensive program of education for all elements of the state's criminal justice system.

During the 1972-73 school year, the Academy's first with central headquarters, 1112 state and local law enforcement officers participated in Academy-run programs and 534 in externally-staffed programs. During 1973-74, additional programs developed by a full-time correctional training officer will serve more than 300 corrections personnel, about half of those within the state. The Academy also projects several courses for youth services personnel and prosecutors for 1973-74, and is planning a judicial conference.

The State Government Committee received authoritative testimony that the Academy has effected a noticeable improvement in the training and abilities of police officers.

The Committee feels that the Academy serves several valuable functions as a residential training facility, centralized administrative center, and coordination point for all criminal justice training activities, and the Committee recommends that these functions be continued.

LEAA funding has allowed, and is committed to, the purchase, renovation, equipment, staffing and operation of the Waterville facility through 1974.

In excess of one and a half million dollars of federal monies and \$178,000 of state-appropriated matching funds will have been expended to support the Academy from 1970 through 1974. The State Government Committee would like to see the continuance of federal funding; however, as the future receipt of these funds cannot be guaranteed, a General Fund appropriation is recommended (see Appendix B-Academy Proposed Budget).

Although limited federal funding is available to many states for special criminal justice training projects, the operating budgets of police academies in most states (more than 30) are financed with general fund revenues. Maine should follow this example because it avoids several problems inherent in funding from a dedicated percentage of court fines.

Available District Court fine monies vary from year to year, depending on fines levied and on amounts disbursed, both for District Court costs and for special offense-related accounts such as Inland Fish and Game law violations apprehended by Department wardens. The sums derived either from a fine surcharge or a set percentage of fines would bear no relationship to the annual operating costs of the Criminal Justice Academy.

Another disadvantage of court fine funding is that it might promote public identification of the court system with police departments and law enforcement officers.

The most important justification for a General Fund rather than a dedicated revenue appropriation is assurance of administrative accountability to the Legislature. The possibility of meaningful annual budget review and ongoing legislative oversight of Academy programs and program operation can be more fully secured through Maine Criminal Justice Academy participation in the General Fund appropriation process.

Appendix A

History of the Maine Criminal Justice Academy

The 104th Maine Legislature created the Maine Police Academy under a Board of Commissioners charged with the responsibility of providing a facility and training for Maine law enforcement officers.

The Maine Police Academy Board of Commissioners chose to subcontract with the Maine Municipal Association to have the Maine Law Enforcement Council develop and implement basic and advanced police training programs.

In 1970, the law establishing the Maine Police Academy was amended to include participation by all criminal justice personnel. The Maine Police Academy was then renamed the Maine Law Enforcement & Criminal Justice Academy.

In 1971, the Maine Legislature passed a mandatory police training law which required that all full-time municipal police officers employed after September 23, 1971 complete a basic police school at the Maine Law Enforcement & Criminal Justice Academy within one year of their appointment.

That same year, under governmental reorganization, the Maine Law Enforcement & Criminal Justice Academy became part of the Maine Department of Public Safety.

In 1972, the mandatory police training law was amended to require that all full-time deputy sheriffs, appointed after July 1, 1972, also meet the training requirement.

In 1973, the name of the Academy was changed to Maine Criminal Justice Academy. Also in 1973, a law became effective charging the Academy Trustees with certifying sheriffs, police chiefs and other local law enforcement officers.

Appendix B

Maine Criminal Justice Academy

Proposed Budget

ACCOUNT NUMBER AND NAME 1189.1010 Criminal Justice Academy

Position #	Title	Range No.	Pos. Auth. by Legis.	Auth. Hours	Current Payroll	No. of Pay Periods	Cost of Auth. Positions (Col. 6 x Col. 7)	Cost of Vacant or Now Positions	Merit Increases or Other Increments	Retirement Costs	Cost of Temporary, Seasonal, Part-Time, Etc. Positions	Total Cost All Positions	Recommended Amount
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
7022-65-50-0011	Sir, JSEA	26E			351.01	26	9,126.26			853.30		9,979.56	
7021-65-50-0081	Sir & CJA Training Officer	16X			249.58	26	6,489.03			606.72		7,095.75	
0041-65-50-0041	Business Manager	17B			195.82	26	5,091.32		127.14	249.90		5,468.36	
0022-65-50-0181	Steno II	5Y			136.10	26	3,546.60			331.58		3,878.18	
0013-65-50-0101	Typist III	7K			148.00	26	3,660.00			361.73		4,021.73	
0012-65-50-0111	Typist II	4C			115.20	26	2,995.20			230.05		3,225.25	
8214-65-50-0141	Electrician	11C			162.30	26	4,219.80			394.55		4,614.35	
8201-65-50-0131	Carpenter	9X			162.10	26	4,222.60			394.79		4,617.39	
8201-65-50-0121	Maintenance Mechanic	9C			142.10	26	3,702.60			316.27		4,018.87	
0002-65-50-0171	Laborer II	6C			125.20	26	3,255.20			304.36		3,559.56	
0002-65-50-0161	Laborer II	6B			120.00	26	3,120.00		104.00	301.44		3,525.44	
	Training Officer	10B			205.48	26		5,342.48		499.52		5,842.00	
	Training Officer	18B			205.48	26		5,342.48		499.52		5,842.00	
	Training Officer	10B			205.48	26		5,342.48		499.52		5,842.00	
	Asst. Training Officer	14B			195.83	26	5,091.58			476.05		5,567.63	
	Asst. Training Officer	14B			195.83	26	5,091.58			476.05		5,567.63	
	Training Officer	18B			226.28	26	5,883.28			550.65		6,433.93	
	Laborer II	6B			120.00	26	3,120.00		104.00	291.92		3,515.92	
							68,823.50	16,027.44	335.24	7,727.65		92,903.53	

ACTIVITY NUMBER AND NAME
Maine Criminal Justice Academy 1189.1

LIST EXPENDITURES BY CHARACTER AND OBJECT IN HUNDRED GROUPS. SHOW SUB-TOTAL OF EACH THOUSAND GROUP. SHOW "LINE CATEGORY" TOTALS AND A GRAND TOTAL.

CODE NUMBER	EXPENDITURES	ACTUAL		ESTIMATED		DEPARTMENT REQUEST		BUDGET RECOMMENDATION		LEGISLATIVE APPROPRIATION	
		1971 - 72	1972 - 73	1973 - 74	1974 - 75	1973 - 74	1974 - 75	1973 - 74	1974 - 75		
3100	PERSONAL SERVICES				92,904.						
	ALL OTHER										
	CONTRACTUAL SERVICES										
4000	Prof. Fees & Spec. Services—Not by State Departments				23,769.						
4100	Prof. Fees & Spec. Services—Rendered by State Departments				915.						
4200	Traveling Expenses—In State				2,244.						
4300	Traveling Expenses—Out-of-State				3,750.						
4400	Oper. of State-owned Vehicles				4,800.						
4500	Utility Service				5,450.						
4600	Rents				1,450.						
4700	Repairs (Including Repair Materials)				3,150.						
4800	Insurance (Except Autos, Planes, etc.)				2,175.						
4900	General Operating Expense				46,620.						
	Sub-total				99,323.						
	COMMODITIES										
5100	Food										
5200	Fuel				4,000.						
5300	Office Supplies				2,500.						
5400	Clothing & Clothing Material										
5600	Other Dept. & Institutional Supplies				11,940.						
	Sub-total				18,440.						
	GRANTS, SUBSIDIES AND PENSIONS										
6000	Grants to Federal Government										
6200	Grants to Cities and Towns										
6400	Grants to Pub. & Private Organizations										
6600	Grants to Indiv. for Pub. Assistance										
6700	Grants to Individuals for Assistance & Relief										
6800	Misc. Grants to Individuals										
6900	Pensions										
	Sub-total										
	TRANSFERS TO OTHER FUNDS										
9051	Transfer to Other Spec. Revenue Funds										
9052	Transfer to Highway Fund										
9053	Transfer to Intra-Governmental Funds										
9054	Transfer to Enterprise Funds										
9055	Transfer to Trust & Agency Funds										
9056	Transfer to Capital Projects Funds										
	Sub-total										
	TOTAL ALL OTHER						117,823.				
	CAPITAL EXPENDITURES										
7200	Equipment				390.						
	TOTAL CAPITAL EXPENDITURES				390.						
	TOTAL						217,117.				

REPAIR PROGRAM

APPROPRIATION NO. 1180.1

DEPARTMENT OR INSTITUTION

Public Safety
Criminal Justice Academy

DESCRIPTION (Sub-total by Activities)	PRIORITY	DEPARTMENT REQUEST		BUDGET RECOMMENDATION		LEGISLATIVE APPROPRIATION	
		1973 - 74	1974 - 75	1973 - 74	1974 - 75	1973 - 74	1974 - 75
		Electrical		200.			
Plumbing and Heating			500.				
Printing			300.				
Carpentry and Masonry			550.				
Repairs to roads and grounds			875.				
Repairs to equipment			425.				
Repairs to typewriters			100.				
Miscellaneous repairs			200.				
Total to Code No. 4700 - Form C1			3150.				

EQUIPMENT

TWO-YEAR PROGRAM FOR REPLACEMENT AND PURCHASE OF NEW EQUIPMENT

APPROPRIATION NUMBER 1189.1010

DEPARTMENT OR INSTITUTION

Public Safety

Criminal Justice Academy

MAKE ESTIMATES IN EVEN DOLLAR AMOUNTS ONLY

REV. 4-72

Item of Equipment (Sub-total by Activities)	No. of Units	Unit Cost	MOTOR VEHICLES		ESTIMATED COST OF EQUIPMENT			
			Date of Purchase	Mileage	1973 - 1974		1974 - 1975	
					New	Replacements	New	Replacements
Vacuum Cleaner	1	150.					150.	.
12 ga. shotgun	1	150.						150.
22 cal. revolver	1	90.						90.
TOTAL EQUIPMENT		390.					150.	240.

AN ACT Appropriating Funds to Provide for the Operation of the Maine
Criminal Justice Academy.

Be it enacted by the People of the State of Maine as follows:

Department of Public Safety, Maine Criminal Justice Academy, appro-
priation. There is appropriated to the Department of Public Safety from
the General Fund the sum of \$211,117 for the administration and operation
of the Maine Criminal Justice Academy.

1974-75

PUBLIC SAFETY, DEPARTMENT OF

Maine Criminal Justice Academy

Personal Services	(18) \$92,904
All Other	117,823
Capital Expenditures	390

STATEMENT OF FACT

The purpose of this bill is to provide the operating costs of the
Maine Criminal Justice Academy. The Academy, which trains state, county
and municipal law enforcement officers and criminal justice personnel,
currently operates primarily on federal funds, the future receipt of
which cannot be guaranteed. This bill is part of the State Govern-
ment Committee report on its assigned study of future funding for the
Maine Criminal Justice Academy. The State Government Committee feels
that there is a possibility that the amount requested may be reduced
by transfers of funds from state agencies using the facilities of the
Academy.