MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 45

S.P. 62

In Senate, January 31, 1989

Reported by Senator BUSTIN of Kennebec for the Joint Select Committee on Corrections pursuant to Joint Order S.P. 16.

Reference to the Joint Select Committee on Corrections suggested and ordered printed pursuant to Joint Rule 18.

JOY J. O'BRIEN Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-NINE

Resolve, to Request the Department of Corrections to Undertake a Probation Systems Management Study.

(EMERGENCY)



Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

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Whereas, this study needs to begin immediately to determine appropriate probation strategies for effective long-range management of Maine's offender population; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Establishment; duties. Resolved: That the Department of Corrections shall undertake a comprehensive study of its probation system. The study shall include, but not be limited to, the following:

19 1. Improvements to the existing information 21 emphasizing improved data collection of information about the risks posed by offenders on probation and the needs associated 23 with those offenders, program evaluation and offender tracking. consideration should be given to the adoption of a 25 presentence investigation system which provides detailed and specific recommendations to judges at the time of sentencing;

A thorough review of the probation classification system, including the need for uniformity in record keeping;

- 3. An evaluation of the current staff to offender ratio. Current staffing ratios are often in excess of 100 cases per officer. The department has indicated that a 1:75 ratio for adult supervision and a 1:35 ratio for juvenile supervision, coupled with enough clerical assistance to handle anticipated workload increases, would alleviate some of the difficulties arising from such a large number of offenders. The probation management study shall focus on the need to reduce ratios to 1 75, with the long-range objective of 1 to 50;
- 41 A review of a full range of probation programming. The study shall include a review of the current probation system, a study of other probation department procedures which could be 43 adopted by Maine's probation system and the resources the 45 department would need to undertake such programs. It shall also these could how programs effectively prison-bound offenders who could be integrated into the community; 47

1	5. A review of alternatives to traditional probation
3	programs. Any consideration of program development shall incorporate a range of sanctions which are responsive to goals of
J	community-based punishment and treatment. A probation management
5	study shall look not only at high-level supervision projects such
	as intensive supervision and home detention, but also at a full
7	range of intermediate and lower levels of supervision. The study
	shall include, but not be limited to, consideration of the
9	following options:
11	A. Day fines;
10	B. Restitution and diversion centers;
13	C. Victim and offender reconciliation programs;
15	D. Community service programs;E. Private sector involvement in nonconfinement; and
13	F. Penalties;
17	r. Tenarcies,
	6. Development of an evaluation procedure to monitor prison
19	space management and probation management, to ensure that
	offenders who could be integrated into the community are not
21	using expensive prison space;
23	7. A review of training options for probation officers who
	supervise offenders with special needs including, but not limited
25	to, sex offenders, substance abusers and offenders with mental
	health or retardation needs; and
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29	8. A review of strategies for criminal prevention and
29	consideration of the need for and development of a criminal prevention model for young adults within the State; and be it
31	further
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33	Assistance. Resolved: That the department may contract for
	the professionals required to assist with this study; and be it
3 5	further
37	Report. Resolved: That the department shall report its
	findings to the Joint Standing Committee on Corrections by
9	February 15, 1990; and be it further
	A 14 TO 1 TO 1
1	Appropriation. Resolved: That the following funds are
	appropriated from the General Fund to carry out the purposes of
13	this Act.
5	1989-90
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9	Administration - Corrections
1	All Other \$150,000

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* .	Provides funds to contract for services to
₇ 3	assist the department in conducting this
	study.
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	Emergency clause. In view of the emergency cited in the
7	preamble, this resolve shall take effect when approved.
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	STATEMENT OF FACT
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13	This resolve provides an appropriation to the Department of
	Corrections so it may enter into a contractual agreement to
15	undertake a comprehensive study of its probation system.