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2011
ANNUAL REPORT
OF THE
BOARD OF VISITORS
TO THE
MAINE CORRECTIONAL CENTER
WINDHAM

Submitted January 9, 2012
to the Commissioner of Corrections
by the Board of Visitors:

Carol Kontos, Chair
Victoria Bonebakker
the late George Flaherty
Charles Hammond
Reid Stevens

The Maine Correctional Center

~~Mission History~~

It is the **mission** of the Maine Correctional Center to improve public safety 1) by decreasing the recidivism of both male and female prisoners and 2) by providing opportunities for correctional rehabilitation within a supervised and secure setting, while 3) assuring the safety of the public, the staff and the prisoners.

To satisfy this mission, the Maine Correctional Center recognizes the indispensable and valuable contributions of its security, program, and support staff and is committed to the ongoing development of a professional and skilled work force.

The Correctional Center is the Department of Corrections' primary Reception Center and serves as a Medium/Minimum Security facility for both male and female prisoners. MCC uses professional practices, objective risk assessment, and research-based rehabilitation programs, which have been proven to reduce the likelihood that an offender will re-offend.

Integral to its mission, the Maine Correctional Center recognizes its responsibility to educate prisoners about the harm criminal conduct causes the victim and the community and to provide prisoners with opportunities to repay the community through participation in public service work and restitution.

Throughout their MCC commitment, prisoners are expected to accept increasing levels of personal responsibility for their conduct and for successful participation in rehabilitative programs. The Maine Correctional Center strives to have prisoners accept responsibility for their own behavior, for their family obligations, and for their actions in the community.

History

The Maine Correctional Center was established by an Act of the Legislature on April 4, 1919. An appropriation of \$45,000 was made to purchase land and buildings located in Windham.

Originally called the Reformatory for Men, it was later named the Men's Correctional Center. In 1976, the Stevens School was closed and the women were moved to the Maine Correctional Center (renamed). A multipurpose (male and female) housing unit opened in May, 1989. A new women's unit (estimated capacity of 70) opened on July 25, 2002.

Capacity at MCC is **522**, but the population has exceeded that number for a long time. As of December 15, 2011, the population at MCC was **602: 489 males and 113 females**.

Annual Message from the MCC Board of Visitors
January 9, 2012

On behalf of the Board of Visitors (BOV) of the Maine Correctional Center in Windham, I am pleased to submit our annual report for 2011. The BOV schedules its quarterly meetings on the first Tuesday of March, June, September and December, and the summaries of these meetings follow.

Each meeting begins with an update from Superintendent Burnheimer and presentations from various staff who provide information about programming, descriptions of special inmate populations, and/or overviews of ongoing initiatives. We tour some area of the facility when schedules permit and at that time have face to face conversations with inmates to hear their concerns and questions.

The BOV credits the MCC professional staff for maintaining a high-performing facility with quality programming and exceptional security. Ongoing national accreditation is evidence of the high standards in place at MCC.

Of ongoing concern are the following:

- The BOV continues to note the challenges facing staff because of the large number of inmates with substance and drug dependency and mental health issues.
- The BOV encourages the Department to make more industry opportunities available for the female population at MCC.
- The BOV reminds the Department and the Legislature of the unique responsibility at MCC for classification of all inmates in the care of the DOC and the burdens this can place on staff.
- The BOV notes the stress placed on staff due to the uncertainty of state budget decisions and the current and anticipated retirements of veteran personnel.

In closing, each of us appreciates the opportunity to work with the staff at the Maine Correctional Center and we especially respect the manner in which the superintendent and his administrative team manage the facility and serve the goals of the Department of Corrections.

Submitted by Carol Kontos, for the Board: Victoria Bonebakker, Charles Hammond, and Reid Stevens and with affection for our colleague, the late George Flaherty.

March 3, 2011 Board of Visitors
Summary of ^{1st} quarter Meeting at the MCC

Participants: Victoria Bonnebaker, Reid Stevens, Carol Kontos for the Board. Absent: George Flaherty (illness) and Charlie Hammond.

Staff: Superintendent Scott Burnheimer, Jim Howard, Gary LaPlante, Barbara Robertshaw.

1. **Discussion.** Board member George Flaherty's unexpected absence was noted, with concerns from all that he will recover quickly. Then the meeting began with a general conversation about possible implications for MCC staff if the biennial budget proposals are adopted. The Superintendent indicated that the staff are demonstrating some uneasiness over proposed changes in retirement and health care benefits. The Superintendent also reported on his initial meeting with the new commissioner and the commissioner's intention to visit all Corrections facilities, both as scheduled meetings as well as unannounced visits; the commissioner emphasized that one of his key goals is ensuring accountability throughout the department.
2. **Visit to MPU, Multi-Purpose Unit.** Accompanied by staff, the Board went to B-Pod of the MPU, which houses female inmates, many of whom are waiting to move to the Women's Center once beds are available there. Captain Emerson explained the organization of the unit, introduced the Board to the 24 women housed there, and encouraged them to talk with members of the Board. Following are some of the comments – in random order -- that Board members heard:
 - More emphasis on programming for women in this unit, especially because they are eligible despite being housed in the MPU;
 - Suggestion for credit for "good time" while in MPU to be the same as if they were housed in the Women's Unit;
 - Desire for greater access to case workers and request for more case workers;
 - Suggestion for addition of small group counseling for mental health/medical issues;
 - Concerns about "after care" and other aspects of their return to civilian life, especially regarding medications;
 - Request for desserts at each evening meal, not just one day a week;
 - Perceived lack of consistency in ways some security personnel apply rules; and
 - Complaint about applying strict visitation rules that prevented visit by family member who was less than 5 minutes late after driving long distance from up north.
3. **Debriefing.** The Board talked briefly after the visit to share what each of them had learned from his or her conversations:

- Everyone hoped more programming was possible. Captain Emerson and staff described plans to increase programming for women in the MPU. Space, security and staffing are always issues, but the intention is to expand the opportunities for these women.
- Victoria Bonnebaker encouraged staff to communicate better about the reasons why some inmates and not others are selected for transition to the Women's Unit. The females in the MPU perceive inequities that staff could help them understand, even if the women don't like the results.
- Reid Stevens expressed strong interest in ensuring that women in the south pod would get more education and programming to transition more smoothly into the north pod.

The Board agreed that these site visits are useful ways to understand the issues facing inmates and staff and the importance of direct communication with the men and women in the care of the Department of Corrections.

NEXT BOV MEETING IS JUNE 2, 2011

2nd Quarter Meeting of BOV at MCC

June 2, 2011

Board Members: Victoria Bonebakker, Reid Stevens, Carol Kontos.

Staff: Superintendent Scott Burnheimer, Dr. Joe Fitzpatrick, Jim Howard.

1. **Superintendent's Report.** The group discussed an op-ed article written by an inmate in the Maine State Prison in the June 2nd *Portland Press Herald* about parole and home confinement as ways to relieve crowding at correctional institutions, to reduce recidivism and to lower costs. http://www.pressherald.com/opinion/maine-should-restore-parole-home-confinement-to-cut-crowding-recidivism_2011-06-02.html. The Superintendent reminded us that, unlike some states, Maine uses its county system to house people who have committed minor offenses, thus reducing the need for home incarceration and parole. Secondly, the pre-release efforts while inmates are still in the corrections system are designed to reduce risk once people are released back into the community.

The Superintendent also commented on the *New York Times* article about the increase of suboxin in prisons and MCC's protocol to combat it. Inmates are receiving mail with suboxin under the seal of the envelope or underneath the stamp. As a result, inmates are no longer allowed to handle or possess the envelopes of mail sent to them.

2. **Discussion of Administration Segregation.** Dr. Joe Fitzpatrick, Director of Mental Health, discussed ongoing conversations within the Department about how to deal with inmates who demonstrate they pose a risk to themselves or to members in their unit. "Administrative Segregation" (ad seg) is a policy that allows an inmate to be removed from his or her unit for safety issues, usually for 1-3 days; these are not considered disciplinary actions. The result is "isolation," "segregation," "solitary," terms used by lay people, but a penalty formally referred to as "lock down" by Corrections personnel, in which an inmate is confined for 23 hours a day. At MCC the average "seg" time currently is 10 days to 2 weeks.

Dr. Fitzpatrick noted that many mental health professionals believe this confinement causes more harm than good, particularly for inmates diagnosed with mental illness. A legislative work group has been meeting to work on a series of recommendations, including but not limited to, less frequent use, shorter stays in lock down, more humane treatment. Dr. Fitzpatrick supports the direction the Department is taking and says it represents a philosophical shift in the Maine DOC. He praised the new Commissioner for his leadership on this issue.

This shift, however, represents challenges for line staff: What tools will they have to use to reduce risk? How and when will they get training and skill-building to de-escalate a potentially dangerous situation and/or encourage collaborative problem-solving? Superintendent Burnheimer indicated his support for training for officers to learn techniques to minimize confrontation. The Crisis Intervention Team (CIT), modeled in the Portland Police Department,

could be the next step in training for line staff. He concurred with Dr. Fitzpatrick that this is a major paradigm shift for the Department – and one that he and his staff support.

The results of the shift will likely be the following: Administrative Segregation (ad seg) will not be used as much; inmates will be locked down for less time; and overall risk to safety will be reduced.

3. **Mental Health Challenges at MCC.** Dr. Fitzpatrick reported that in the last few months, the acuity of mental health diagnoses is greater than he has seen in his 18 years with the DOC. The population is greatly “de-stabilized,” as he described it, and the diagnoses of trauma among women is worse than ever before – both likely results of budget cuts in community treatment programs. On the Annual Inmate Tracking Form, Dr. Fitzpatrick underscored these alarming trends. (See Attached.)

Complicating matters further are two conditions: 1) no psychiatric beds are available at Dorothea Dix or Riverview for DOC patients with severe mental illness; 2) the DOC cannot involuntarily medicate psychiatric inmates the way a hospital can. Because chemical treatment can stabilize a psychiatric inmate and help to prevent self-inflicted wounds or risk to others, next year the DOC will seek legislative approval to allow the Department, with the same safeguards as those that pertain to hospitals, to involuntarily medicate the severely mentally ill who pose a threat to themselves or others.

4. **Ongoing Updates.** Superintendent Burnheimer reported that classification time has been shortened. He also identified retirements of key personnel in the Women’s Unit – these vacancies are already creating stress for the inmates and uncertainty among the administration.

The Superintendent said that George Flaherty is recovering at home and that he will remain in contact with him throughout the summer. The group asked him to deliver George their best wishes.

Submitted by Carol A. Kontos, Chair

June 15, 2011

NEXT QUARTERLY MEETING SEPTEMBER 8, 2011 9:30-11:30 AM

Maine Correctional Center Board of Visitors

September 8, 2011

9:30 am

Present: Victoria Bonebakker, Reid Stevens, Scott Burnheimer, Supt., Leida Dardis, Deputy, Supt., Programs, Eric Gilliam, Deputy Supt. Security, and Barbara Robertshaw, Manager Correctional Ops.

Topics:

- 1) New Administrators. Scott introduced the new Leida Dardis and Eric Gilliam as the new Deputy Superintendents at MCC. Leida comes to MCC from the prison with over 22 years of experience. Eric Gilliam has over 30 years of State experience at Mental Health facilities and Long Creek Youth Development Center. Jeff Merrill was reassigned to LCYDC. Jim Howard was reassigned to the Prison, but has decided for distance reasons to demote to a teacher in our Women's Center. The moves are meant to give a broader span of experience and development for our Deputies.
- 2) Changes were explained in management expectations as to budget and performance goals. Facilities have been given targets for overtime and All Other expenditures. We have developed a staffing matrix as a guide, as well as determined posts to collapse when necessary to reduce overtime. This all takes place while keeping safety and security in mind for staff and prisoners.
- 3) Scott explained that a lock down would be coming in the next several weeks to assure that contraband was minimized. This event would be repeated once or twice per year. Also an ACA audit was coming in October so the facility would be gearing up to assure staff were ready for that event. ACA participation assures that best practices for safety and security are in place as measured by peers from across the country.
- 4) Scott explained a new observation status policy and practice that would be in place to reduce time spent by a prisoner in a segregation status. A departmental committee assigned by the Commissioner has been working on the draft policy over the summer. Prisoners can be placed on observation up to 72 hours in their own rooms or in a higher security setting as long as they are a danger to themselves or others. They would be taken off that status at a time a danger no longer exists. An expectation would be that the prisoner would return to normal housing status when no longer on observation.

A tour was postponed until more members were present. Next meeting was scheduled for Thursday, December 1st, at 9:30 am.

Summary of 4th Quarter BOV Meeting at MCC

December 15, 2011

Participants: Victoria Bonebakker, Carol Kontos, Charlie Hammond (called away early) for the Board.

Staff: Supt. Burnheimer, Deputy Supt. for Support Services Barbara Robertshaw, Deputy Supt. of Programs Leida Dardis, and Brian Libby, Acting Deputy Supt. for Security.

1. **Superintendent's Update.** A "mock lock-down" was held on September 29, an annual exercise at each institution ordered by Commissioner Ponte. This included a full security search to confirm consistent practices throughout the DoC. One item of contraband (tattooing paraphernalia) was discovered.

The superintendent announced that Amanda Woolford is the new unit manager of the Women's Program and B-Pod and Bangor Pre-Release.

The MCC will privatize the Commissary as a cost-cutting measure.

On October 17-19 the ACA Audit was conducted – with a score of 99.6, the same score as the previous audit. The Board expressed its congratulations to the staff and administrative team for another excellent report.

2. **Staffing.** The superintendent indicated that all institutions in the DoC are putting greater attention on their budgets; in the case of MCC the focus is on efforts to reduce overtime. In particular, during day shifts security is collapsing posts when possible to reduce demand for overtime necessary to fill vacancies. (Currently there are 14 vacancies, with 4 people in training to help fill them.) Some staff (13 in October and 2 in November) have filed grievances expressing concerns about safety because of reduced coverage in some locations. The loss of overtime pay is a concern for some. The new schedule has changed from 8-hour shifts to 12-hour shifts.
3. **Discussion.** Emergency Observation Status (EOS) is reducing the amount of time inmates are in Ad Seg (solitary.) When it is determined by observation that the inmate is not a danger to himself or others, an inmate will more likely have room restriction rather than Ad Seg. Female inmates are often placed in emergency observation because there is evidence and/or a perceived risk of self-harm.

The York County Jail has returned 35 MCC inmates because the jail does not have enough staff to provide appropriate security. These inmates had been relocated to reduce overcrowding at MCC.

To reduce the pharmacy budget, staff are reducing higher strength, potentially addictive medications when alternative medications are determined to be equally effective. These changes will be monitored closely to evaluate any adverse behaviors or health problems.

Meetings for 2012 will be March 1, June 7, September 6 and December 6.

Terms for MCC Board of Visitors

At our last meeting, we talked about establishing end of terms on our board so as to assure that all terms will not end at once. I think we agreed that I would randomly select end dates for you as well. Certainly this is not done to suggest that anyone separate from our board at their given time as each selection is renewable on mutual agreement. I have sent Dr. Stevens' resume to Augusta to assist with his official appointment. Through the "draw out of the hat" method I came up with the following **end** dates:

Victoria Bonebakker	Dec. 2007
George Flaherty	Dec. 2007 <i>deceased</i>
Charles Hammond	Dec. 2008
Carol Kontos, Chair	Dec. 2008
Reid D. Stevens	Dec. 2009