

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

# **STATE OF MAINE**



# **DEPARTMENT OF CORRECTIONS**

**Sec. 24. 34-A MRSA §1402, sub-§13 – Report on Jails**

**To the**

**Joint Standing Committee on Criminal Justice and  
Public Safety**

**January 15, 2016**



STATE OF MAINE  
DEPARTMENT OF CORRECTIONS  
111 STATE HOUSE STATION  
AUGUSTA MAINE  
04333-0111

PAUL R. LEPAGE  
GOVERNOR

DR. JOSEPH FITZPATRICK  
COMMISSIONER

January 15, 2016

Senator Rosen,  
Representative Fowle,  
Members of the Joint Standing Committee on Criminal Justice and Public Safety,

The following report complies with Sec. 24. 34-A MRS §1402, sub-§13, Report on Jails, as outlined in Maine Public Law 335 of July 12, 2015.

Subsection 13 requires the Department of Corrections, in collaboration with a statewide association of sheriffs and a statewide association of county commissioners, to report on the mandatory standards, policies and procedures for jails adopted pursuant to section 1208-B and the status of funding for the jails from the County Jail Operations Fund established in section 1210-D, county taxes and other sources. Further, The department and representatives of the associations shall conduct a review of the funding provided to county jails pursuant to subsection 12 and section 1210-D and the distribution formula established by the department pursuant to section 1210-D, subsection 4. If the department and the associations find that changes are needed to the distribution method or procedures or the level of General Fund support, the department shall report that finding to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters and shall recommend changes in the formula determined pursuant to section 1210-D, subsection 4 and the level of General Fund support. After reviewing the report, the joint standing committee is authorized to submit legislation to address issues raised by the report and to improve the funding and operation of the jails.

The Department has been in regular contact to maintain a collaborative effort with county representatives and has received input from both MSA (Maine Sheriff's Association) and MCCA (Maine County Commissioner's Association). With the creation of the "Formula Distribution" the jails have received their funding up front and we have received very little feedback or concerns regarding the funding formula. This formula is also to be applied to quarterly Court Fines and Surcharge payments made to the jails. Enhancements have been made to both the BARS (Bed Availability Reporting System) and CRAS (Corrections Reporting of Actuals System) to accommodate the new data collection and reporting requirements of Public Law 335. This cost has been absorbed by the Department.

Please let me know if you should have any questions regarding this report as required by Public Law 335.

Sincerely,

A handwritten signature in black ink that reads "Dr. Joseph R. Fitzpatrick".

Dr. Joseph Fitzpatrick  
Commissioner

# Report On The Mandatory Standards, Policies And Procedures For Jails

## **Status Update Provided by:**

Ryan Andersen

Manager of Correctional Operations

Maine Department of Corrections

---

## **§1208-B. Standards, policies and procedures applicable to jails**

**1. Establishment.** The commissioner shall establish mandatory standards, policies and procedures for jails. The standards, policies and procedures must be established by rule and must be evidence-based and reflect best practices for the administration and operation of jails. The rules must include policies and procedures for assisting jails to achieve compliance and for imposing penalties for noncompliance.

A. The standards, policies and procedures must address

- record keeping and reporting of financial data,
- capital improvement planning,
- jail staffing,
- administration and management of prisoners,
- transfer of inmates,
- notification to prisoners of prohibition on contact with victims and other persons,
- pretrial assessments and services,
- evidence-based programming,
- literacy programs,
- mental health and substance abuse programs and
- correctional officer training.

## **Background**

Many of the requirements included in §1208-B have already been implemented through mandatory standards established by rule, following the adoption of Title 34-A §1208 (1983). From 34-A §1208, Detention and Correctional Standards for Maine Counties and Municipalities was established. County Jail facilities are currently inspected under the 2005 standards manual which is comprised of 265 total standards (136 Mandatory, 129 Essential). Below you will find specific standards examples from the 2005 manual that address the expectations of PL 335.

## **Record Keeping and Reporting of Financial Data**

### **C. 1. (2005 Maine County Jail Standards)**

The administrator should maintain an accurate management information system to collect, record, and process data to identify population trends and needs.

### **C. 2. (2005 Maine County Jail Standards)**

Each facility should maintain a disaster recovery plan for all software programs, security system, records, and other data stored in electronic media.

### **C.3 (2005 Maine County Jail Standards)**

The administrator should maintain practices which prevent unauthorized disclosure of information or records pursuant to Maine and federal laws.

### **C. 8. Mandatory (2005 Maine County Jail Standards)**

There shall be a system for maintaining a daily by shift and monthly accounting of the facilities inmate population. The Monthly Population Report Form (Appendix B, B.1) must be completed for each facility and submitted to the Department of Corrections by the fifteenth of the following month.

## **Capital Improvement Planning**

### **R. 38. Mandatory (2005 Maine County Jail Standards)**

Concurrent with the schematic design phase of a new or renovated facility, staffing plans for the facility and their projected annual cost shall be submitted to the Department for review for compliance with standards and approval.

### **R. 39. Mandatory (2005 Maine County Jail Standards)**

There shall be a written facility activation plan and budget developed concurrent with the funding of new facility construction. The plan shall provide for the development of new policies and procedures, user transition, training, operating procedures, and a period of facility testing. The plan shall be submitted to the Department for review for compliance with standards.

### **R. 40. Mandatory (2005 Maine County Jail Standards)**

Space needs for a new facility and projected population shall be carefully assessed and described. Space shall be planned to meet all housing, program, support, and administrative needs. Plans submitted are to include provisions for future expansion and supporting infrastructure of at least twenty five percent (25%) of the facility rated capacity. Needs shall reflect all applicable codes, regulations, and standards.

### **R. 41. Mandatory (2005 Maine County Jail Standards)**

Key planning and design documents shall be submitted to the Department for review and comment at each of the following stages:

- a. During conceptual design;
- b. At the completion of the schematic design phase;
- c. At the completion of each set of preliminary or progress plans;
- d. Prior to the release of construction documents and specifications for bid; and
- e. As Built drawing upon completion of construction.

### **R. 42. Mandatory (2005 Maine County Jail Standards)**

The county shall inform the Department in writing when construction is 75% completed so that an on-site inspection by the Department can be made to determine standards compliance. Final inspection of the completed facility shall be made, and the Department shall certify compliance before a new or renovated facility is occupied by inmates and placed in operation.

### **R. 43. Mandatory (2005 Maine County Jail Standards)**

A county shall inform the Department of all planned renovations to its facility in order for the Department to determine the applicability of Standards R. 39 through R. 43 to the Project.

## **Jail Staffing**

### **E. 3. Mandatory (2005 Maine County Jail Standards)**

There shall be sufficient full-time certified correctional staff to perform all functions related to the security, custody, programs, and supervision of all inmates and the operation of the facility in compliance with Maine Standards for Jails. Each facility shall complete annually and submit to the Department of Corrections, Inspections Division, a Staffing Inventory (see sample Appendix D) including all security, custody, program, support and administrative positions.

### **E. 4. Mandatory (2005 Maine County Jail Standards)**

A staffing analysis should be conducted by each administrator establishing a staffing plan that details staff assignments, staff levels, and staff patterns for the facility. Staffing plans shall be submitted to the Department of Corrections so it may establish minimum staffing levels for new facilities. Any proposed changes to the use or operations of a facility that may affect the staffing levels approved shall be submitted to the Department of Corrections for review and approval. Staffing plans shall be submitted on a form provided by the Department of Corrections.

## **Administration and Management of Prisoners**

### **A. 1. Mandatory (2005 Maine County Jail Standards)**

Each facility shall have an administrator who is responsible for facility management and operations.

### **A. 2. (2005 Maine County Jail Standards)**

The administrator should develop, implement and maintain a set of written policies and procedures describing all aspects of facility administration and operation. A suggested policy and procedure topic outline is presented in Appendix A. Policies should list applicable mandatory standards.

## **Transfer of Inmates**

Note: ‘Transfer of Inmates’ is not addressed in the **2005 Maine County Jail Standards**, but will be included in the standards update currently underway.

## **Notification to Prisoners of Prohibition on Contact with Victims and Other Persons**

Note: ‘Notification to Prisoners of Prohibition on Contact with Victims and Other Persons’ is not addressed in the **2005 Maine County Jail Standards**, but will be included in the standards update currently underway.

## **Pretrial Assessment and Services**

### **F. 2. (2005 Maine County Jail Standards)**

If any inmate is unconscious or shows sign of or complains of other serious injury or wounds, and the inmate is not being held or committed by order of a court, the inmate may not be held at the facility until the arresting/transporting officer has secured written documentation from a physician that the inmate was examined and/or treated, or the inmate or physician’s refusal to treat or be treated.

### **F. 4. Mandatory (2005 Maine County Jail Standards)**

The Intake Screening Form (see sample Appendix E) shall be completed for each inmate during the admission process. These screening forms shall be completed by trained correctional staff or the facility medical/mental health provider. Training in intake screening for correctional staff shall be reviewed and approved, in writing, by medical/mental health professionals.

### **F. 5. Mandatory (2005 Maine County Jail Standards)**

In cases where an inmate may be exhibiting signs of withdrawal, lack of control, intoxication, suicidal ideation/behavior, or poses some other risk to self or others, the admitting officer shall notify his/her supervisor and take immediate action to help ensure the safety of the inmate and others until the inmate can be evaluated by medical or mental health professionals.

### **F. 6. (2005 Maine County Jail Standards)**

An Admission/Release Form should be completed on each inmate admitted and include, at a minimum, the information found in the Sample Admissions/Release Form in Appendix F.

### **F. 8. (2005 Maine County Jail Standards)**

Pre-trial detainees should be allowed to communicate with their family and/or attorney by completing at least two unmonitored phone calls as a part of the admission process.

### **F. 9. (2005 Maine County Jail Standards)**

Pre-trial detainees for whom bail has not been set should be provided the opportunity to have bail set as a part of the admissions process.

### **O.6 Mandatory (2005 Maine County Jail Standards)**

Each jail facility shall develop and maintain community based programs diversion and alternative sentencing program for use minimum security pre-trial and sentenced inmates.

## **Evidence Based Programming**

### **O. 1. Mandatory (2005 Maine County Jail Standards)**

The administrator shall designate a staff member to be responsible for assessing inmate program needs and coordinating the delivery of such programs to inmates.

### **O. 2. (2005 Maine County Jail Standards)**

Where feasible, the release preparation program should provide for graduated release through a systematic decrease in supervision and corresponding increase in inmate responsibility. Release preparation programs should include the use of work/educational release, furloughs, community residential facilities, electronic monitoring, day reporting, and other temporary release programs.

### **O. 3. Mandatory (2005 Maine County Jail Standards)**

Access to mental health and substance abuse programs and services shall be provided to inmates to include, at a minimum:

- a. Substance abuse: identification, detoxification, referral and/or treatment.
- b. Mental health services: crisis intervention and evaluation, stabilization, treatment and follow-up.

### **O. 4. (2005 Maine County Jail Standards)**

All personnel should be familiar with therapeutic programs available to inmates so that they may refer inmates to appropriate services.

### **O.6 Mandatory (2005 Maine County Jail Standards)**

Each jail facility shall develop and maintain community based programs diversion and alternative sentencing program for use minimum security pre-trial and sentenced inmates.

## **Literacy Programs**

### **N. 5. (2005 Maine County Jail Standards)**

A library should be maintained at each facility which consists of:

- a. fiction;
- b. nonfiction;
- c. educational materials.

### **N. 6. (2005 Maine County Jail Standards)**

Library services should be made available to inmates at least twice weekly.

### **O. 1. Mandatory (2005 Maine County Jail Standards)**

The administrator shall designate a staff member to be responsible for assessing inmate program needs and coordinating the delivery of such programs to inmates.

### **O. 5. (2005 Maine County Jail Standards)**

Academic education courses and education counseling extending through the high school level should be available.

## **Mental Health and Substance Abuse Programs**

### **O. 3. Mandatory (2005 Maine County Jail Standards)**

Access to mental health and substance abuse programs and services shall be provided to inmates to include, at a minimum:

- a. Substance abuse: identification, detoxification, referral and/or treatment.
- b. Mental health services: crisis intervention and evaluation, stabilization, treatment and follow-up.

### **O. 4. (2005 Maine County Jail Standards)**

All personnel should be familiar with therapeutic programs available to inmates so that they may refer inmates to appropriate services.

## Correctional Officer Training

### **B. 1. (2005 Maine County Jail Standards)**

All staff training and orientation should be documented in an individual's personnel or training file. At a minimum, documentation should include:

- a. Subject/topic area;
- b. Date received;
- c. Signature of person receiving training;
- d. Name of trainer/instructors;
- e. Results of performance evaluation and/or testing.

### **B. 3. (2005 Maine County Jail Standards)**

All new correctional officers should complete an orientation and pre-assignment training program as required by the Maine Criminal Justice Academy.

### **B. 4. (2005 Maine County Jail Standards)**

All full-time Correctional Officers should be required to maintain annual certification in accordance with the requirements established by the Maine Criminal Justice Academy.

### **B. 5. Mandatory (2005 Maine County Jail Standards)**

Each facility shall have a qualified supervisory staff person trained in Methods of Instruction or certified as a trainer who is responsible for developing, coordinating, providing, and maintaining staff training.

### **B. 6. (2005 Maine County Jail Standards)**

All new supervisory staff should be provided training in supervisory skills. At a minimum, training should include:

- a. Supervisory Leadership Skills.
- b. Correctional Law (As it pertains to supervisors)
- c. Principles of Organization and Management.
- d. Supervisory Skills.
- e. Personnel Supervision.
- f. Employee Discipline and Counseling
- g. Supervisory responsibility in monitoring operational practices to ensure compliance with policies, procedures and standards.
- h. Completing employee evaluations.

### **B. 7. (2005 Maine County Jail Standards)**

Training should be based on and consistent with policies, procedures, and standards.

### **B. 8. Mandatory (2005 Maine County Jail Standards)**

All facility personnel authorized to use a firearm shall receive training and qualify in its use at least annually.

### **B. 9. Mandatory (2005 Maine County Jail Standards)**

All facility personnel authorized to use less than lethal chemical agents or weapons shall receive training in their use and handling.

### **B. 10. (2005 Maine County Jail Standards)**

At least one staff member on each shift should be certified in a nationally recognized First Aid Program such as the American Red Cross Standard First Aid or the National Safety Council First Aid Program.

### **B. 11. Mandatory (2005 Maine County Jail Standards)**

Certified correctional officers shall receive and maintain certification in Adult Cardio-Pulmonary Resuscitation (CPR).

### **B. 12. Mandatory (2005 Maine County Jail Standards)**

All correctional officers shall receive annual training in inmate suicides. Training shall include, at a minimum: suicide risk factors, suicide prevention, and facility suicide procedures and intervention practices. Suicide training



shall be reviewed and approved by a qualified medical or mental health professional. Required training shall be documented in the correctional officers' training file.

**Detention and Correctional Standards for Maine Counties and Municipalities (Revisions)**  
Timeline Update

June 23, 2015

20 members are appointed by the Commissioner of Corrections to serve on the County and Municipal Detention Facility Advisory Committee. These members are tasked with reviewing the current jail standards, researching evidence based practices, and making recommendations to the Commissioner on revisions if necessary. They represent the Department of Corrections, Maine Sheriff's Association, Maine County Commissioner's Association, Maine Chiefs of Police Association, Attorney General's Office, Legislature, and citizens.

August 5, 2015

The first committee meeting is held for introductory purposes, to educate members on the statutory responsibilities of the committee, and to identify the most effective approach in updating the Maine Jail standards.

September 25, 2015

Committee working group (spokespersons charged with collecting suggestions for revisions) met for first time to provide jail stakeholders recommendations. Section IIa (A-C) of County Jail Standards were reviewed for updates during this meeting.

October 19, 2015

Committee working group met and Section IIa (D-F) of County Jail Standards were reviewed for updates.

November 20, 2015

Committee working group met and Section IIa (G-J) of County Jail Standards were reviewed for updates.

December 21, 2015

Committee working group met and Section IIa (K-N) of County Jail Standards were reviewed for updates.

Next Steps

It is anticipated that review and recommended updates for the County Jail standards will be complete and compliant with PL 335 at the close of February, 2016. After which the recommendations will need legal review, approval from the Commissioner of Corrections, and to complete the Rule Making process.

## Status Of Funding For The Jails From The County Jail Operations Fund

Compliant with Public Law 335 Sec. 23. 34-A MRSA § 1210-D - County Jail Operations Fund, the Department was required to create a rule for the Formula Distribution:

4. Formula; distribution. The department shall *establish by rule* a formula for the distribution of funds from the fund to the counties for jail operations. Beginning July 1, 2015 and annually thereafter, the department shall distribute to the counties from the fund amounts based on the formula. The formula must be based on the most recent fiscal year for which data is available and must:
  - A. Take into consideration total statewide county jail prisoner days for all jails;
  - B. Take into consideration and assign to a jail the number of county jail prisoner days attributable to each prisoner who was charged with committing a crime in that county or was committed to the custody of or detained by the sheriff of that county;
  - C. Determine the proportion of statewide county jail prisoner days attributable to each county;
  - D. Determine the per diem per prisoner reimbursement amount; and
  - E. Determine the reimbursement amount for each county based on the county's proportion of statewide county jail prisoner days multiplied by the per diem per prisoner rate.

The rule making became problematic as Public Law 335 contained several contradictions in payment frequency and other language. The Department interpreted this information, in collaboration with county representatives, and the State's Attorney General's Office as best they could which resulted in the following rule:

A Public Hearing was conducted on September 2, 2015 for which no one showed up for comment or petition.

### **Rule 03 201 - DEPARTMENT OF CORRECTIONS**

#### **Chapter 3: COUNTY JAIL OPERATIONS FUND DISTRIBUTION OF FUNDS FORMULA**

---

1. By August 1<sup>st</sup> of each year, each county shall report to the Department of Corrections the number of "county jail prisoner days" for that county for the previous fiscal year. This total is to be based on the daily reports made by the county in the BARS (Bed Availability Reporting System) or other reporting system approved by the Commissioner of Corrections. These daily reports must be entered into the system by 9:00 a.m. and reflect the jail's population count as of 12:00 a.m. for the day reported.
2. The county shall provide the number of "county jail prisoner days" attributable to each prisoner who was charged with committing a crime in that county or was committed to the custody of or detained by the sheriff of that county. This includes persons who are housed in a jail as pre-trial detainees, pre-sentence detainees, and sentenced prisoners, and persons who have been found incompetent to stand trial or not criminally responsible but who are being detained pending placement in a state psychiatric hospital. This does not include persons charged with juvenile crimes nor does it include persons who are being held temporarily in a cell, holding area or detention area for purposes of processing, arranging bail, and/or release.
3. The county shall attribute a "county jail prisoner day" to the "county of origin" for the prisoner. When determining a prisoner's "county of origin," the following criteria shall be used:
  - a. The county in which the prosecution for the crime(s) is taking place or has taken place is the "county of origin," unless venue was changed by the court or as otherwise noted below.
  - b. If venue was changed by the court, the "county of origin" is the county in which the prosecution originated.
  - c. The "county of origin" for a revocation of probation or revocation of supervised release for sex offenders is determined by the county where the prosecution for the underlying crime(s) took place.
  - d. For federal prisoners or prisoners transferred to the county from the Department, the "county of origin" shall be so noted as "federal" or "state," as applicable.
  - e. A prisoner who is being boarded for another county shall have the sending county noted as the "county of origin."

4. The Department shall determine the total “statewide county jail prisoner days” by totaling the county jail prisoner days provided by each county adjusted, as necessary, by the Department to correct any errors and excluding federal prisoners and prisoners transferred to the counties from the Department.
5. Based on the statewide county jail prisoner days and the amount of funds appropriated to the County Jail Operations Fund, the Department shall determine the per diem per prisoner reimbursement rate and shall notify each county as to this rate.
6. The Department shall determine the reimbursement amount for each county from the County Jail Operations Fund based on the proportion of “county prisoner jail days” for each “county of origin” to the total “statewide county jail prisoner days.” This reimbursement amount shall be distributed to each county annually, except as set forth in Title 34-A sections 1208-B(1)(B) (monetary penalty for noncompliance with standards) and 1210-D(2)(D) (failure to document required community corrections expenditures).
7. Each county shall report to the Department of Corrections the previous month’s financial data (revenue and expenditures) in the Corrections Reporting of Actuals System (CRAS) by the 10<sup>th</sup> business day of each month.
8. By August 1<sup>st</sup> of each year, each county shall report to the Department of Corrections all revenue and expenditures associated with county jail operations as reported in CRAS for the previous fiscal year. By August 1<sup>st</sup> of each year, each county shall also submit to the Department of Corrections its Community Corrections Account Annual Expenditure Report.
9. Each county shall provide to the Department of Corrections a copy of its independent annual jail audit as soon as it is available, but no later than six months after the fiscal year has ended. The county shall adjust the fiscal year financial data (revenue and expenditures) reported in CRAS to match the annual audit.

---

STATUTORY AUTHORITY: 34-A MRSA §§ 1208-B, 1210-D

EFFECTIVE DATE: August 31, 2015 – filing 2015-163 (Emergency)  
November 8, 2015 – filing 2015-207

**Distribution of the \$12,202,104 according to Rule 03 201**

The rule required the distribution formula to be based on “prisoner days” which represented inmates from their “county of origin” regardless of where they were housed. Consideration was also given to TBRJ (Two Bridges Region Jail) as funds would be sent to Lincoln and Sagadahoc Counties. The calculation for TBRJ was based on the percentage of inmates combined for those counties and evenly splitting the funds between them (as is the Tax Cap). County Jails were also required to file a report on program spending for Community Corrections, which all counties did, to receive full funding as outlined by the law.

In compliance with Sec. 23. 34-A MRSA §1210-D - County Jail Operations Fund the distribution of the \$12,202,104 was as follows:

County	FY15 Prisoner Bed Days as Reported by Counties	% of Total Prisoner Days	Distribution of \$12.2M
ANDROSCOGGIN	65,700	10.2%	\$ 1,244,562
AROOSTOOK	34,310	5.3%	\$ 649,938
CUMBERLAND	-	18.8%	\$ 2,290,524
FRANKLIN	9,344	1.5%	\$ 177,004
HANCOCK	16,848	2.6%	\$ 319,161
KENNEBEC	80,300	12.5%	\$ 1,521,131
KNOX	28,008	4.3%	\$ 530,558
TBRJ	30,025	4.7%	
LINCOLN			\$ 284,383
SAGADAHOC			\$ 284,383
OXFORD	15,695	2.4%	\$ 297,312
PENOBSCOT	77,236	12.0%	\$ 1,463,090
PISCATAQUIS	4,952	0.8%	\$ 93,806
SOMERSET	39,749	6.2%	\$ 752,960
WALDO	16,484	2.6%	\$ 312,258
ME COASTAL REGIONAL REENTRY CTR	9,787	1.5%	\$ 185,396
WASHINGTON	8,395	1.3%	\$ 159,027
YORK	86,396	13.4%	\$ 1,636,608
<b>Grand Total</b>	<b>523,229</b>	<b>100.0%</b>	<b>\$ 12,202,104</b>

Under Sec. 2. 4 MRSA §1057, sub-§3-A - Reimbursement to counties and Sec. 23. 34-A MRSA §1210-D - County Jail Operations Fund; 5 Court Fines and Surcharges are distributed quarterly based on amounts collected. For the first quarter of FY16 the following was collected and distributed based on Rule 03 201 and the same methodology as applied to the \$12,202,104:

County	FY15 Prisoner Bed Days as Reported by Counties	% of Total Prisoner Days	Distribution of 1st Qtr. Fees & Surcharges
ANDROSCOGGIN	65,023	10.2%	\$ 18,335
AROOSTOOK	31,954	5.3%	\$ 9,575
CUMBERLAND	120,916	18.8%	\$ 33,744
FRANKLIN	9,447	1.5%	\$ 2,608
HANCOCK	16,952	2.6%	\$ 4,702
KENNEBEC	80,734	12.5%	\$ 22,410
KNOX	27,003	4.3%	\$ 7,816
TBRJ	29,518	4.7%	
LINCOLN			\$ 4,190
SAGADAHOC			\$ 4,190
OXFORD	16,639	2.4%	\$ 4,380
PENOBSCOT	77,097	12.0%	\$ 21,555
PISCATAQUIS	5,352	0.8%	\$ 1,382
SOMERSET	40,037	6.2%	\$ 11,093
WALDO	16,553	2.6%	\$ 4,600
ME COASTAL REGIONAL REENTRY CTR	9,792	1.5%	\$ 2,731
WASHINGTON	8,615	1.3%	\$ 2,343
YORK	86,546	13.4%	\$ 24,111
<b>Grand Total</b>	<b>642,178</b>	<b>100.0%</b>	<b>\$ 179,764</b>

**ADP (Average Daily Population)**

This statistic represents an average of the inmates which are housed in a facility regardless of county of origin:

<b>County Jail Average Daily Population (ADP)* - County Reported (BARS)</b>						
	<b>FY11</b>	<b>FY12</b>	<b>FY13</b>	<b>FY14</b>	<b>FY15</b>	<b>FY16 through January 13th</b>
Androscoggin	135.5	148.1	142.9	154.3	158.8	148.9
Aroostook	70.4	73.9	77.2	78.1	90.8	89.3
Cumberland	433.2	427.3	441.8	447.8	432.7	446.2
Franklin	3.9	4.8	5.1	4.9	8.1	25.1
Hancock	41.0	46.0	42.2	47.1	50.8	55.4
Kennebec	155.6	143.8	147.5	167.6	169.4	160.5
Knox	67.5	62.9	67.9	70.9	64.7	67.4
TBRJ	145.5	161.8	164.0	168.6	163.0	118.0
Oxford	10.0	9.4	10.9	11.0	10.4	10.4
Penobscot	153.3	150.1	160.7	173.2	171.2	177.7
Piscataquis	24.8	29.9	32.5	32.3	30.7	29.7
Somerset	160.8	173.3	176.8	157.9	162.2	128.7
Waldo/ ReEntry	21.6	24.2	2.2	28.7	28.8	19.5
Washington	42.8	40.2	36.3	36.9	36.7	38.0
York	199.5	193.6	202.1	229.1	223.3	231.9
<b>Total County</b>	<b>1,670.0</b>	<b>1,693.9</b>	<b>1,742.5</b>	<b>1,808.4</b>	<b>1,801.6</b>	<b>1,746.7</b>

*\* - ADP(Average Daily Population) reflects inmates housed in a facility regardless of where they come from.*

**Prisoner Bed Days**

Prisoner Bed Days, as prescribed by Public Law 335, reflects the number of inmates that originated from a county regardless of where they are housed. It represents the number of inmates from the “County of Origin”. This is the statistic used in the funding formula as prescribed in Sec. 23. 34-A MRSA §1210-D - County Jail Operations Fund - 4. Formula; distribution – A:

<b>Prisoner Bed Days - County Reported (BARS)</b>		
	<b>FY15</b>	<b>FY16 through January 13th</b>
Androscoggin	65,023	31,941
Aroostook	31,954	16,966
Cumberland	120,916	65,968
Franklin	9,447	4,933
Hancock	16,952	9,798
Kennebec	80,734	35,485
Knox	27,003	14,380
TBRJ	29,518	14,555
Oxford	16,639	9,142
Penobscot	77,097	42,507
Piscataquis	5,352	2,943
Somerset	40,037	18,675
Waldo/ ReEntry	26,345	9,553
Washington	8,615	4,955
York	86,546	47,705
<b>Total County</b>	<b>642,178</b>	<b>329,506</b>

*\* - approximate - data not yet reconciled by counties*

## Status of Funding for the Jails; County Taxes and Other Sources

The table below represents Revenue reported by county jails through January 13, 2016 in CRAS(Corrections Reporting of Actuals System). Counties were asked to provide prior month actuals into CRAS by 10<sup>th</sup> working day of the following month.

CRAS reporting has been problematic since the program was instituted by the State Board of Corrections, making it difficult to understand what the counties are receiving in Revenue and what they are Expending. For example, the Department has distributed \$12,202,104 to the Counties, however when the County Jail Operations Fund is added to the Community Corrections number the sum is \$12,556,237, or \$354,133 over what was actually paid. Court Fines and Surcharges shows \$77,835, however the Department distributed \$179,764, which is \$101,930 short.

County Jail Revenue as Reported in the CRAS (Corrections Reporting of Actuals System as of January 13, 2016)								
County	Month Reported Through	Tax Cap	County Jail Operations	Community Corrections	Federal Boarding	Court Fines & Surcharges	Other County Generated Revenue	Grand Total
ANDROSCOGGIN	November	1,786,392	1,244,562				24,691	3,055,644
AROOSTOOK	November	1,158,333	649,938			9,575	11,250	1,829,096
CUMBERLAND	November	4,967,865	2,324,268		1,261,503		33,995	8,587,631
FRANKLIN	November			177,035			2,983	180,018
HANCOCK	December	835,068	186,177		95,679		35,398	1,152,322
KENNEBEC	December	2,822,112	1,543,541				129,210	4,494,863
KNOX	November	1,062,900		530,558	400		11,280	1,605,139
LINCOLN	November	1,107,130		284,383		4,190	(1,209,111)	186,592
OXFORD	November			297,312		4,380	20	301,712
PENOBSCOT	November	2,466,300	689,511	773,579	60,152	21,715	27,147	4,038,403
PISCATAQUIS	November	1,493,045	379,371		221,706		2,986	2,097,108
SAGADAHOC	November	1,107,127		263,042		4,190	(1,008,831)	365,528
SOMERSET	November	2,431,608	527,072	225,888	480,193		22,970	3,687,731
TWO BRIDGES	August				12,896		1,106,852	1,119,748
WALDO	November	2,790,932		497,654		7,332	9,284	3,305,201
WASHINGTON	December	833,552	325,738		400	2,343	1,267	1,163,300
YORK	December	4,193,406	1,636,608			24,111	25,084	5,879,209
<b>Grand Total</b>		<b>29,055,769</b>	<b>9,506,785</b>	<b>3,049,452</b>	<b>2,132,929</b>	<b>77,835</b>	<b>(773,525)</b>	<b>43,049,245</b>

*Negative numbers (contra-revenue) appearing in "Other County Generated Revenue" represents transfers from Lincoln and Sagadahoc to the Two Bridges Regional Jail.*

## Review Of The Funding Provided To County Jails

In discussions with representatives from MSA (Maine Sheriff's Association) and MCCA (Maine County Commissioner's Association), there has been no concerns expressed with the "Formula Distribution" as prescribed in Rule 03 201 - DEPARTMENT OF CORRECTIONS Chapter 3: COUNTY JAIL OPERATIONS FUND DISTRIBUTION OF FUNDS FORMULA. A public hearing was held prior to the rule becoming official and no one showed up to express any concern or has brought any petition regarding the rule to the Department's attention. Counties have expressed concerns around the level of funding (\$12,202,104), and realize that this needs to be addressed legislatively.