

Criminal Justice and Public Safety Committee Meeting

July 17, 2020

(Prepared July 13, 2020)

July 17, 10am

Work sessions on the following bills:

1. LD 1756, An Act to Improve Public Safety through Coordinated Reentry of Prisoners into the Community, sponsored by Rep. Talbot Ross.

This bill was heard on June 3, 2019, was passed to be enacted with Committee Amendment "A" (H580) in the House and Senate, was sent to the Governor on June 14, 2019 and was held by the Governor. In January, 2020 the bill was recalled from the Governor's desk and in February the bill was recommitted to the Criminal Justice and Public Safety Committee. The recommitted bill is in the CJPS Committee without any amendment.

This bill was scheduled for work session on March 16.

On March 13 Rep. Talbot Ross prepared a proposed committee amendment to delete section 2 of the bill and in section 3 on line 31 of page 1 set the qualification for supervised community confinement as "The prisoner has no more than 24 months remaining on the term of imprisonment." This is a change from 36 months in the current law and 18 months in the bill.

Copies of the bill, the 2019 Committee Amendment "A," the Legislature's bill status report on actions on the bill in 2019 and 2020, and the March 13 amendment proposed by Rep. Talbot Ross are attached.

2. LD 2151, An Act to Implement the Recommendations of the Maine Juvenile Justice System Assessment and Reinvestment Task Force, sponsored by Rep. Warren.

This bill was heard on March 3, having been advertised in its LR form, as LR 3255. This bill was scheduled for work session on March 11 and rescheduled for March 18.

If the committee supports the bill, the bill contains dates and appropriations which should be examined because of the delay in final action on the bill delayed the effective date. In section 2 on benchmarks for decreasing the population of youth who are detained or in the custody of the Department of Corrections. These benchmarks are tied to dates which may need to be changed. In section 8 of the bill there are General Fund appropriations which may need to be changed due to a delay in the effective date of the bill.

A copy of the bill is attached.



Troy D. Jackson
President of the Senate

State of Maine
129th Maine Legislature

Sara Gideon
Speaker of the House

July 6, 2020

Dear Fellow Legislators,

When we unanimously voted to adjourn in March to mitigate the spread of COVID-19, we did so with the goal of protecting the health and well-being of all Mainers and limiting the strain on our first responders, health care professionals and hospitals. With remarkable resilience, our people and our businesses have adapted, and as a state we are meeting that challenge.

With our accelerated timeline, we were only able to finalize legislation directly related to coronavirus response, health care, and other critical pieces of legislation deemed necessary, before our adjournment. Other unfinished matters were carried over, with the expectation of finishing our work during our next legislative session. While by no means is this crisis over, we now have proven strategies to reduce transmission giving us the ability to finalize outstanding committee work.

Please let this serve as notice that we are resuming legislative meetings on carry-over measures in July in preparation for a special session of the 129th Legislature.

We know that, throughout this crisis, you have continued to work in your districts responding to constituent concerns, as well as participating in our committee briefings focusing on the State's response. We thank you for your commitment to public service and look forward to working with you to complete the important legislative work before us.

Sincerely,

Troy Jackson
Senate President

Sara Gideon
Speaker of the House

cc: All Legislative Staff



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1756

H.P. 1250

House of Representatives, May 21, 2019

An Act To Improve Public Safety through Coordinated Reentry of Prisoners into the Community

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

Handwritten signature of Robert B. Hunt in cursive.

ROBERT B. HUNT
Clerk

Presented by Representative TALBOT ROSS of Portland.
Cosponsored by Senator DESCHAMBAULT of York and
Representatives: BAILEY of Saco, EVANGELOS of Friendship, MADIGAN of Waterville,
MORALES of South Portland, TUELL of East Machias, WARREN of Hallowell, Senators:
CARPENTER of Aroostook, MOORE of Washington.

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

2 Sec. 1. 34-A MRSA §1206-B is enacted to read:

3 **§1206-B. Reentry agreements**

4 1. Agreements with state agencies. The commissioner shall negotiate joint
5 working agreements with the Department of Health and Human Services, the Department
6 of Labor, the Department of Education and other appropriate state agencies to ensure that
7 prisoners and juvenile clients receive coordinated assistance with reentry and receive all
8 the services and benefits for which they are eligible upon their release into the
9 community.

10 2. Agreements with federal and community agencies. The commissioner may
11 negotiate agreements with appropriate federal agencies and community agencies as
12 defined in section 1206, subsection 1, paragraph B to provide prisoners and juvenile
13 clients additional assistance with reentry and with the receipt of services and benefits
14 upon their release into the community.

15 Sec. 2. 34-A MRSA §3036-A, sub-§2, ¶B, as amended by PL 2001, c. 141, §1,
16 is further amended to read:

17 ~~B. A prisoner may not be transferred to supervised community confinement until the~~
18 ~~prisoner has served at least 2/3 of the term of imprisonment imposed or, in the case of~~
19 ~~a split sentence, at least 2/3 of the unsuspended portion, after consideration of any~~
20 ~~deductions that the prisoner has received and retained under Title 17-A, section 1253~~
21 ~~if the term of imprisonment or, in the case of a split sentence, the unsuspended~~
22 ~~portion is more than 5 years. A prisoner may not be transferred to supervised~~
23 ~~community confinement until the prisoner has served at least 1/2 of the term of~~
24 ~~imprisonment imposed or, in the case of a split sentence, at least 1/2 of the~~
25 ~~unsuspended portion after consideration of any deductions that the prisoner has~~
26 ~~received and retained under Title 17-A, section 1253 if the term of imprisonment or,~~
27 ~~in the case of a split sentence, the unsuspended portion is 5 years or less.~~

28 Sec. 3. 34-A MRSA §3036-A, sub-§2, ¶C, as amended by PL 2007, c. 240, Pt.
29 ZZZ, §2, is further amended to read:

30 ~~C. Except as provided in paragraph C-1, a~~ A prisoner may not be transferred to
31 supervised community confinement unless the prisoner has no more than ~~18~~ 36
32 months remaining on the term of imprisonment or, in the case of a split sentence, on
33 the unsuspended portion, after consideration of any deductions that the prisoner has
34 received and retained under Title 17-A, section 1253.

35 Sec. 4. 34-A MRSA §3036-A, sub-§2, ¶C-1, as enacted by PL 2003, c. 711, Pt.
36 A, §22 and affected by Pt. D, §2, is repealed.

37 Sec. 5. 34-A MRSA §3061, sub-§1, as amended by PL 2017, c. 148, §7, is
38 further amended to read:

Date:

(Filing No. H-580)

Amendment adopted in 2019

CRIMINAL JUSTICE AND PUBLIC SAFETY

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1250, L.D. 1756, Bill, "An Act To Improve Public Safety through Coordinated Reentry of Prisoners into the Community"

Amend the bill by striking out all of sections 2 to 5 and inserting the following:

Sec. 2. 34-A MRSA §3036-A, sub-§2, ¶B, as amended by PL 2019, c. 113, Pt. C, §91, is further amended to read:

~~B. A prisoner may not be transferred to supervised community confinement until the prisoner has served at least 2/3 of the term of imprisonment imposed or, in the case of a split sentence, at least 2/3 of the unsuspended portion, after consideration of any deductions that the prisoner has received and retained under Title 17-A, section 2302, subsection 1; section 2305; section 2307; section 2308; section 2309; section 2310; or section 2311 if the term of imprisonment or, in the case of a split sentence, the unsuspended portion is more than 5 years. A prisoner may not be transferred to supervised community confinement until the prisoner has served at least 1/2 of the term of imprisonment imposed or, in the case of a split sentence, at least 1/2 of the unsuspended portion after consideration of any deductions that the prisoner has received and retained under Title 17-A, section 2302, subsection 1; section 2305; section 2307; section 2308; section 2309; section 2310; or section 2311 if the term of imprisonment or, in the case of a split sentence, the unsuspended portion is 5 years or less.~~

Sec. 3. 34-A MRSA §3036-A, sub-§2, ¶C, as amended by PL 2019, c. 113, Pt. C, §92, is further amended to read:

~~C. Except as provided in paragraph C-1, a A~~ prisoner may not be transferred to supervised community confinement unless the prisoner has no more than ~~18~~ 36 months remaining on the term of imprisonment or, in the case of a split sentence, on the unsuspended portion, after consideration of any deductions that the prisoner has received and retained under Title 17-A, section 2302, subsection 1; section 2305; section 2307; section 2308; section 2309; section 2310; or section 2311.

1 **Sec. 4. 34-A MRSA §3036-A, sub-§2, ¶C-1**, as amended by PL 2019, c. 113,
2 Pt. C, §93, is repealed.

3 **Sec. 5. 34-A MRSA §3061, sub-§1**, as amended by PL 2019, c. 113, Pt. C, §98,
4 is further amended to read:

5 **1. Transfer.** The commissioner may transfer any client from one correctional or
6 detention facility or program, including prerelease centers, work release centers, halfway
7 houses, sober houses, transitional housing, reentry programs, supervised community
8 confinement or specialized treatment facilities, to another. A juvenile may not be
9 transferred to another facility or program for adult offenders and an adult offender may
10 not be transferred to another facility or program for juveniles, except that an adult
11 offender may be housed in the Long Creek Youth Development Center or the Mountain
12 View Correctional Facility pursuant to section 4117 or Title 17-A, section 1611.

13 **Sec. 6. Department of Corrections to establish a steering committee on**
14 **the supervised community confinement program and the reentry of prisoners**
15 **into the community.** The Department of Corrections shall establish a steering
16 committee focused on assessing and examining the supervised community confinement
17 program and reentry policies, practices and procedures.

18 **1. Composition.** The steering committee must be composed of, but not limited to,
19 the following members:

- 20 A. The Commissioner of Labor;
- 21 B. The Commissioner of Health and Human Services;
- 22 C. The Commissioner of Education; and
- 23 D. The following members appointed by the Commissioner of Corrections:
- 24 (1) The Department of Corrections, director of women's services;
- 25 (2) The Department of Corrections, chief administrative officer of the Bolduc
26 Correctional Facility;
- 27 (3) The Department of Corrections, chief administrative officer of the Mountain
28 View Correctional Facility;
- 29 (4) The Department of Corrections, director of community corrections;
- 30 (5) The Department of Corrections, manager of evidence-based practices;
- 31 (6) A representative of a civil rights organization with a primary mission to
32 advance racial justice;
- 33 (7) A representative of an organization with a primary mission to advance the
34 reentry of prisoners into the community;
- 35 (8) A representative of an interfaith-based organization;
- 36 (9) A representative of a prisoner advocacy organization;
- 37 (10) A representative of a domestic violence or sexual assault organization; and
- 38 (11) A representative of a housing advocacy organization.

1 **2. Chairs; volunteer service.** The steering committee must be cochaired by the
2 Department of Corrections' director of classification and a member of the steering
3 committee who represents an organization not affiliated with the Department of
4 Corrections or any state agency. Members of the steering committee serve in a volunteer
5 capacity and are not entitled to reimbursement for expenses or per diem reimbursement.
6 Designees named by members may participate in steering committee meetings if the
7 members are unable to participate.

8 **3. Duties.** The duties of the steering committee include the following:

- 9 A. Conduct an assessment of community resources within the State, including
10 housing, behavioral health treatment, vocational training, educational opportunities
11 and educational programming;
- 12 B. Review current law and rules related to application for and participation in the
13 supervised community confinement program;
- 14 C. Review the policies and procedures and case management policies and procedures
15 of the Department of Corrections related to prisoner reentry into the community;
- 16 D. Review available housing and reentry support services;
- 17 E. Make recommendations to the Commissioner of Corrections for supervised
18 community confinement program enhancements; and
- 19 F. Review and make recommendations for training on gender-responsive practices,
20 implicit bias and racial equity related to reentry.'

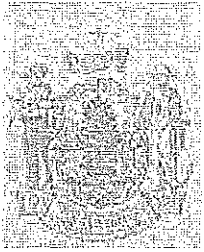
21 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
22 section number to read consecutively.

23 **SUMMARY**

24 This amendment updates the language in the bill to reflect changes made this session
25 and adds a requirement that the Department of Corrections establish a steering committee
26 focused on assessing and examining the supervised community confinement program and
27 reentry policies, practices and procedures.

28 **FISCAL NOTE REQUIRED**

29 (See attached)



State of Maine Legislature

Actions for LD 1756

Bill Info

LD 1756 (HP 1250)

"An Act To Improve Public Safety through Coordinated Reentry of Prisoners into the Community"

Sponsored by **Representative Rachel Talbot Ross**

New Search

Summary

Actions

Bill Text and
Other Docs
Committee
Info

Title &
Section

Amendments

Sponsors

Roll-calls

Subjects

Date	Chamber	Action
5/21/2019	House	Committee on Criminal Justice and Public Safety suggested and ordered printed. The Bill was REFERRED to the Committee on CRIMINAL JUSTICE AND PUBLIC SAFETY . Sent for concurrence. ORDERED SENT FORTHWITH.
5/21/2019	Senate	The Bill was REFERRED to the Committee on CRIMINAL JUSTICE AND PUBLIC SAFETY in concurrence
6/13/2019	House	CONSENT CALENDAR - FIRST DAY Under suspension of the rules CONSENT CALENDAR - SECOND DAY. The Bill was PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-580) . Sent for concurrence. ORDERED SENT FORTHWITH.
6/13/2019	Senate	Report READ and ACCEPTED , in concurrence. READ ONCE . Committee Amendment "A" (H-580) READ and ADOPTED , in concurrence. Under suspension of the Rules, READ A SECOND TIME and PASSED TO BE ENGROSSED AS AMENDED BY Committee Amendment "A" (H-580), in concurrence. Ordered sent down forthwith.
6/13/2019	House	PASSED TO BE ENACTED . Sent for concurrence. ORDERED SENT FORTHWITH.
6/14/2019	Senate	PASSED TO BE ENACTED , in concurrence.
1/14/2020	House	Bill RECALLED From Governor (Pursuant to Joint Order - House Paper 1427) Representative TALBOT ROSS of Portland MOVED that the RULES BE SUSPENDED for the purpose of reconsideration. On further motion of same Representative TABLED pending the motion to SUSPEND THE RULES . Later today assigned.
1/14/2020	House	Unfinished Business
1/21/2020	House	Unfinished Business

1/23/2020	House	Unfinished Business
1/28/2020	House	Unfinished Business
1/30/2020	House	Unfinished Business
2/4/2020	House	Unfinished Business
2/6/2020	House	Unfinished Business
2/11/2020	House	Unfinished Business
2/13/2020	House	Unfinished Business
2/18/2020	House	Unfinished Business
2/20/2020	House	Speaker laid before the House On motion of Representative MOONEN of Portland, the Bill and accompanying papers were COMMITTED to the Committee on CRIMINAL JUSTICE AND PUBLIC SAFETY . In NON-CONCURRENCE and sent for concurrence. ORDERED SENT FORTHWITH.
2/25/2020	Senate	On motion by Senator LIBBY of Androscoggin The Senate RECEDED and CONCURRED With Bill and accompanying papers COMMITTED to the Committee on Criminal Justice and Public Safety in concurrence
3/17/2020	House	Carried over, in the same posture, to any special session of the 129th Legislature pursuant to Joint Order SP 788.
3/17/2020	Senate	CARRIED OVER to any Special Session of the 129th Legislature pursuant to Joint Order SP 788.

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Amendment proposed by
Rep Talbot Ross 3/13



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1756

H.P. 1250

House of Representatives, May 21, 2019

**An Act To Improve Public Safety through Coordinated Reentry of
Prisoners into the Community**

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

Robert B. Hunt

ROBERT B. HUNT
Clerk

Presented by Representative TALBOT ROSS of Portland.
Cosponsored by Senator DESCHAMBAULT of York and
Representatives: BAILEY of Saco, EVANGELOS of Friendship, MADIGAN of Waterville,
MORALES of South Portland, TUELL of East Machias, WARREN of Hallowell, Senators:
CARPENTER of Aroostook, MOORE of Washington.

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

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4 1. Agreements with state agencies. The commissioner shall negotiate joint
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8 the services and benefits for which they are eligible upon their release into the
9 community.

10 2. Agreements with federal and community agencies. The commissioner may
11 negotiate agreements with appropriate federal agencies and community agencies as
12 defined in section 1206, subsection 1, paragraph B to provide prisoners and juvenile
13 clients additional assistance with reentry and with the receipt of services and benefits
14 upon their release into the community.

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16 is further amended to read:

17 ~~B. A prisoner may not be transferred to supervised community confinement until the~~
18 ~~prisoner has served at least 2/3 of the term of imprisonment imposed or, in the case of~~
19 ~~a split sentence, at least 2/3 of the unsuspended portion, after consideration of any~~
20 ~~deductions that the prisoner has received and retained under Title 17-A, section 1253~~
21 ~~if the term of imprisonment or, in the case of a split sentence, the unsuspended~~
22 ~~portion is more than 5 years. A prisoner may not be transferred to supervised~~
23 ~~community confinement until the prisoner has served at least 1/2 of the term of~~
24 ~~imprisonment imposed or, in the case of a split sentence, at least 1/2 of the~~
25 ~~unsuspended portion after consideration of any deductions that the prisoner has~~
26 ~~received and retained under Title 17-A, section 1253 if the term of imprisonment or,~~
27 ~~in the case of a split sentence, the unsuspended portion is 5 years or less.~~

28 Sec. 3. 34-A MRSA §3036-A, sub-§2, ¶C, as amended by PL 2007, c. 240, Pt.
29 ZZZ, §2, is further amended to read:

30 ~~C. Except as provided in paragraph C-1, a~~ A prisoner may not be transferred to
31 supervised community confinement unless the prisoner has no more than ~~48~~ 36
32 months remaining on the term of imprisonment or, in the case of a split sentence, on
33 the unsuspended portion, after consideration of any deductions that the prisoner has
34 received and retained under Title 17-A, section 1253.

35 Sec. 4. 34-A MRSA §3036-A, sub-§2, ¶C-1, as enacted by PL 2003, c. 711, Pt.
36 A, §22 and affected by Pt. D, §2, is repealed.

37 Sec. 5. 34-A MRSA §3061, sub-§1, as amended by PL 2017, c. 148, §7, is
38 further amended to read:

24



129th MAINE LEGISLATURE

SECOND REGULAR SESSION-2020

Legislative Document

No. 2151

H.P. 1540

House of Representatives, March 12, 2020

**An Act To Implement the Recommendations of the Maine Juvenile
Justice System Assessment and Reinvestment Task Force**

(EMERGENCY)

Reported by Representative WARREN of Hallowell for the Joint Standing Committee on Criminal Justice and Public Safety pursuant to Joint Order 2019, H.P. 1515.

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed pursuant to Joint Rule 218.

Robert B. Hunt

ROBERT B. HUNT
Clerk

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

3 **Whereas,** the initiatives established in this legislation must be undertaken promptly
4 upon the beginning of the next fiscal year in order to safeguard the health and welfare of
5 Maine's justice-involved youth and to safeguard the public peace, health and safety; and

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

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

11 **Sec. 1. 15 MRSA §3203-A, sub-§4, ¶C,** as amended by PL 1999, c. 624, Pt. B,
12 §5, is further amended to read:

13 C. Detention, if ordered, must be in the least restrictive residential setting that will
14 serve the purposes of the Maine Juvenile Code as provided in section 3002 and one of
15 the following purposes of detention:

- 16 (1) To ensure the presence of the juvenile at subsequent court proceedings;
- 17 ~~(2) To provide physical care for a juvenile who can not return home because~~
18 ~~there is no parent or other suitable person willing and able to supervise and care~~
19 ~~for the juvenile adequately;~~
- 20 (3) To prevent the juvenile from harming or intimidating any witness or
21 otherwise threatening the orderly progress of the court proceedings;
- 22 (4) To prevent the juvenile from inflicting bodily harm on others; or
- 23 (5) To protect the juvenile from an immediate threat of bodily harm.

24 **Sec. 2. Benchmarks for reducing the population of detained and**
25 **committed youths.** From a baseline of the average daily population of youths detained
26 and of the average daily population of youths committed in the custody of the Department
27 of Corrections for the period from April 1, 2020 to June 30, 2020, the Department of
28 Corrections shall take action to ensure that the average daily population of detained
29 youths and the average daily population of committed youths decreases by 25% by July
30 1, 2021. By July 1, 2022, the Department of Corrections shall take action to ensure that
31 the average daily population for each group decreases 25% from the average daily
32 populations for the period from July 1, 2020 to June 30, 2021. By July 1, 2023, the
33 Department of Corrections shall take action to ensure that the average daily population
34 for each group decreases 25% from the average daily populations for the period from July
35 1, 2021 to June 30, 2022.

36 **Sec. 3. Continuing role of the task force on juvenile justice system**
37 **assessment and reinvestment convened in 2019.** The Commissioner of
38 Corrections shall work with the members of the task force established by the Juvenile
39 Justice Advisory Group in 2019 to study and make recommendations on juvenile justice

1 system assessment and reinvestment, referred to in this Act as the "task force," regarding
2 implementation of this Act and ongoing juvenile justice system improvements. The task
3 force shall provide advice, input and feedback to the Department of Corrections and the
4 Department of Health and Human Services regarding the development of a strategic plan
5 to invest in a community-based system of therapeutic services for justice-involved youth
6 that works to divert youth from detention and commitment, reduce the rates of detention
7 and commitment across the State and achieve the benchmarks for progress established in
8 section 2 of this Act. The task force shall convene an advisory panel of justice-involved
9 youth to advise the task force in the performance of its duties.

10 **Sec. 4. Annual reporting by the Department of Corrections through 2024.**

11 After receiving advice and input from the task force but no later than January 31, 2021,
12 January 31, 2022, January 31, 2023 and January 31, 2024, the Department of Corrections
13 shall provide 4 annual reports to the joint standing committee of the Legislature having
14 jurisdiction over criminal justice and public safety matters. The reports must provide
15 detailed information regarding:

16 1. The efforts of the Department of Corrections and the Department of Health and
17 Human Services to offer diversion options for justice-involved youth and to reduce the
18 rates of detention and commitment of youth across the State;

19 2. The successes and challenges of the Department of Corrections in achieving the
20 benchmarks for detained and committed youth set forth in section 2 of this Act;

21 3. The successes and challenges of the Department of Corrections and the
22 Department of Health and Human Services in expanding access to community-based,
23 therapeutic services or programs funded under section 8 of this Act for the purpose of
24 diverting justice-involved youth from detention and commitment and reducing the rates
25 of youth detention and commitment;

26 4. The successes and challenges of the nonprofit community agencies that have been
27 awarded contracts to provide community-based, nonresidential, therapeutic services and
28 programs for the purpose of diverting justice-involved youth from detention and
29 commitment and reducing the rate of youth detention and commitment as funded under
30 section 8 of this Act;

31 5. The number and outcomes of youth served in the prior year by the nonprofit
32 community-based agencies awarded contracts under sections 6 and 7 of this Act;

33 6. The number of staff at Long Creek Youth Development Center as of the preceding
34 December 1st and staffing levels and challenges at the facility; and

35 7. The strategic plan developed by the Department of Corrections and the
36 Department of Health and Human Services in consultation with the task force for the
37 implementation of this Act and related juvenile justice system improvements.

38 **Sec. 5. Reporting on possible sites and locations for secure, therapeutic**
39 **residences for detained and committed youth.** By January 1, 2021, the
40 Department of Corrections shall report to the joint standing committee of the Legislature

1 having jurisdiction over criminal justice and public safety matters on possible sites and
2 locations for 2 to 4 small, secure, therapeutic residences for youth for the purposes of
3 providing confinement and detention in a therapeutic setting for a maximum occupancy
4 of a total of 30 youths across all sites and locations. The identified possible sites and
5 locations must consist of one site or location in Cumberland County and one site or
6 location in Penobscot County. Two other sites and locations may be identified to serve
7 identified need. The identified possible sites and locations must include existing
8 structures for renovation as small, secure, therapeutic residences. The report must
9 include information regarding options and cost estimates at each possible site and
10 location for the provision of therapeutic services and programs, including educational
11 services, for youths living in the residences.

12 **Sec. 6. Funding by Department of Corrections for services or programs**
13 **for diversion of youth from detention and commitment.** The Department of
14 Corrections shall provide ongoing funding to nonprofit community-based providers of
15 therapeutic services or programs for the purpose of diverting justice-involved youth from
16 detention and commitment and reducing the rate of youth detention and commitment,
17 using funding appropriated for that purpose. These services or programs may include
18 behavioral health services, family support, housing, community supervision, restorative
19 justice and transportation. An emphasis must be placed on offering these services or
20 programs in rural parts of the State and to underserved and minority populations, on
21 expanding existing services and programs that have proven effective and on adopting new
22 evidence-based, innovative services and programs. All of the funding provided for this
23 purpose must be used for contracts, agreed to by the Department of Corrections and the
24 Department of Health and Human Services and overseen by the Department of
25 Corrections, with nonprofit community agencies that have demonstrated a history of
26 serving youth at risk of entering the juvenile justice system, including youth in
27 underserved or minority communities.

28 **Sec. 7. Funding by Department of Health and Human Services for**
29 **services or programs for diversion of youth from detention and commitment.**
30 The Department of Health and Human Services shall provide ongoing funding to
31 nonprofit community-based providers of therapeutic services or programs for the purpose
32 of diverting justice-involved youth from detention and commitment and reducing the rate
33 of youth detention and commitment, using funding provided for that purpose. These
34 services or programs may include behavioral health services, family support, housing,
35 community supervision, crisis stabilization and transportation. An emphasis must be
36 placed on offering these services or programs in rural parts of the State and to
37 underserved and minority populations, on expanding existing services and programs that
38 have proven effective and on adopting new evidence-based, innovative services and
39 programs. At least 70% of the funding provided for this purpose must be used for
40 contracts, agreed to by the Department of Corrections and the Department of Health and
41 Human Services and overseen by the Department of Health and Human Services, with
42 nonprofit community agencies that have demonstrated a history of serving youth at risk
43 of entering the juvenile justice system, including youth in underserved or minority
44 communities.

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Sec. 8. Appropriations and allocations. The following appropriations and allocations are made.

**CORRECTIONS, DEPARTMENT OF
Juvenile Community Corrections 0892**

Initiative: Provides an appropriation to the Department of Corrections to provide ongoing funding to nonprofit community-based providers for community-based, therapeutic services or programs for the purpose of diverting justice-involved youth from detention and commitment and reducing the rate of youth detention and commitment.

GENERAL FUND	2019-20	2020-21
All Other	\$0	\$2,500,000
GENERAL FUND TOTAL	<u>\$0</u>	<u>\$2,500,000</u>

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF
Mental Health Services - Children Z206**

Initiative: Provides an appropriation to the Department of Health and Human Services to provide ongoing funding to providers of community-based, therapeutic services or programs for the purpose of diverting justice-involved youth from detention and commitment and reducing the rate of youth detention and commitment.

GENERAL FUND	2019-20	2020-21
All Other	\$0	\$1,000,000
GENERAL FUND TOTAL	<u>\$0</u>	<u>\$1,000,000</u>

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This bill repeals a provision of the Maine Juvenile Code that establishes as a purpose of pre-adjudication detention providing physical care for a juvenile who cannot return home because there is no parent or other suitable person willing and able to supervise the juvenile adequately.

The bill establishes benchmarks for measuring progress in reducing the average daily populations of detained youths and committed youths through July 1, 2023.

The bill requires the Commissioner of Corrections to work with the task force established by the Juvenile Justice Advisory Group in 2019 to study and make recommendations on juvenile justice system assessment and reinvestment regarding implementation of the bill. The task force is required to provide advice, input and

1 feedback to the Department of Corrections and the Department of Health and Human
2 Services regarding the development of a community-based system of therapeutic services
3 for justice-involved youth that works to divert youth from detention and commitment,
4 reduce the rates of detention and commitment across the State and achieve the
5 benchmarks for progress established in this bill.

6 The bill requires 4 annual reports on juvenile justice from the Department of
7 Corrections to the joint standing committee of the Legislature having jurisdiction over
8 criminal justice and public safety matters through January 31, 2024.

9 The bill requires that by January 1, 2021, the Department of Corrections report to the
10 joint standing committee of the Legislature having jurisdiction over criminal justice and
11 public safety matters on possible locations for 2 to 4 small, secure, therapeutic residences
12 for youth for the purposes of providing detention and confinement for a maximum
13 occupancy of a total of 30 youths. One of the residences must be located in Cumberland
14 County, one must be in Penobscot County and 2 other possible locations may be
15 identified. Options must include existing structures for renovation as small, secure,
16 therapeutic residences. The report must include information regarding options and cost
17 estimates at each location for the provision of therapeutic services and programs,
18 including educational services, for youth living in the residences.

19 The bill appropriates \$2,500,000 to the Department of Corrections and \$1,000,000 to
20 the Department of Health and Human Services to provide ongoing funding for
21 community-based, therapeutic services or programs for the purpose of diverting justice-
22 involved youth from detention and commitment and reducing the rate of youth detention
23 and commitment.