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Testimony of the Maine Municipal Association

In Support For

LD 258 – “Part 2” Biennial Budget -- Additional Jail Funding

May 30, 2023

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Sen. Rotundo, Rep. Sachs, and distinguished members of the Appropriations and Financial Affairs Committee, my name is Rebecca Graham, and I am submitting testimony requesting the inclusion of appropriate funding for county jails under the LD 258 Part 2 Biennial Budget on behalf of the Maine Municipal Association’s 70 member Legislative Policy Committee.

The bulk of county jail operations fall on the financial resources of the property taxpayers in the counties they serve through annual bills sent to municipalities. Those same property taxpayers have been hit with inflationary costs in all sectors of government service delivery at the local and county level. The inflation costs for jails are no different than any other sector of government and their anticipated shortfall is on track to mirror such a change. While the Department of Corrections required an inflationary increase in their operations costs, the state has decided to flat fund their appropriations to county jails, falling short of the 20% commitment to fund their operation.

Officials believe that this failure to recognize the inflationary costs for county facilities is a rollback on negotiated terms to provide essential services demanded by the legislature that came without additional support for those obligations under the promise that all stakeholders would work together to find efficiencies and identify pressures under a newly created County Corrections Professional Standards Council.

This unstaffed, unsupported council has been meeting since August to identify the pressures on the system that are equally felt amongst facilities. Inflation in operating costs, a lack of residential treatment options for substance use disorder in the state, the back log of cases in the state court system, a list of unfunded mandates for medically assisted treatment, and a prosecutorial system that favors sentences that place an inmate in a county over a state facility are just some of the factors established by state practice that drive up the cost of running county jails on property taxpayers.

County jails have no ability to influence the individuals who are assigned to their facilities any more than property taxpayers have the ability to influence how those services are delivered. However, the legislature has dictated terms that counties willingly undertook, and is failing to honor that work, and partnership by not affording the county jail operation fund an anticipated inflationary rise in that dedicated 20% cost share amount, even while asking for the same increase in the operation of state prisons. While communities receiving the 80% bill for their operation will already see an increase in that amount, the state is flat funding their portion telling those communities to fund even more for state required services.

Public safety threats to our communities are increasingly drug related, violent, and linked to other social deficits that lack resources to be addressed in a community setting. While most county jail administrators will state that their facilities are filled with people who belong in secured health care settings, there are no such options or enough behavioral and mental health beds in the state to address this need, while the protection of victims, and the community writ large remains a priority.

If the increased asked in county jail operations were extraordinary to the circumstances, not in line with all other cost inflation measures experienced by government service delivery, and not directly driven by factors within the state's control, then perhaps the position to flat fund county jail operations in this biennium would be understandable. However, as they are not, such a move devalues the state partnership with local government partners, shifts the burden onto those residents who struggled to heat their homes on fixed incomes with no agency to influence state policy.

Instead, the work of law enforcement and county facilities in keeping our communities safe and attractive for the millions of visitors about to descend on our communities should be supported by the proceeds received by the state for those services.

For all these reasons, municipal officials and the Association ask that you support the change in LD 258 to make county jail operations whole and honor the state's 20% commitment to their operation.