



JANET T. MILLS
GOVERNOR

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

RANDALL A. LIBERTY
COMMISSIONER

Testimony of Randall A. Liberty, Commissioner State of Maine, Department of Corrections

Before the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing
Committee on Criminal Justice and Public Safety
February 14, 2023

**LD 258 An Act Making Unified Appropriations and Allocations from the General Fund and Other Funds
for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the
Proper Operations of State Government for the Fiscal Years Ending June 30, 2023, June 30, 2024 and June
30, 2025**

Good afternoon, Senator Rotundo, Representative Sachs, and members of the Joint Standing Committee on Appropriations and Financial Affairs; Senator Beebe-Center, Representative Salisbury and members of the Joint Standing Committee on Criminal Justice and Public Safety. I am Randall Liberty, Commissioner of the Maine Department of Corrections.

GOVERNOR'S LANGUAGE

This budget advances the Governor's guiding belief that to build a stronger, more prosperous state where opportunity is available to all, then we must invest in the infrastructure that supports the people of Maine, our greatest asset.

That is why this budget proposal strengthens the very things that Maine people rely on every day to succeed, building on the strong success of the currently enacted budget and the last legislative session to tackle Maine's greatest challenges.

We have governed cautiously and in a fiscally prudent way over the past four years, making sure that – even in the hardest of times during the pandemic – we lived within our means. This budget proposal continues that practice.

We look forward to the discussions over the next several months as we outline each initiative and impact of the proposed investments.



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DEPARTMENTAL OVERVIEW

The Maine Department of Corrections is responsible for the direction and general administrative supervision, guidance and planning of adult and juvenile correctional facilities, community corrections, and related programs within the State of Maine. Currently, there are 1,663 adult residents inside an MDOC facility, 94 adult residents living in the community as part of the early release Supervised Community Confinement Program, 5,428 adults involved with probation, 20 juveniles committed and detained, and lastly, there are 63 youth on probation.

A few years ago, the MDOC embarked on a journey to find a better way of doing corrections. We developed the Maine Model of Corrections, grounded in the foundational principle of humanization. By treating people well, with respect and decency, we see lasting behavioral changes, safer communities, and witness individuals reinvesting in healthy lives with lower risk of re-offense. The efforts to put into motion this framework can be seen every day, by staff, residents, and clients who model for one another open communication, non-adversarial interactions, inclusion, and promotion of the safety and well-being of all. Living spaces have been transformed, data practices have been overhauled for better decision making, stigmatizing language has been replaced with person-first language, staff trainings and recruitment are improved for more diverse hiring, and long held policies and practices have been revised to recognize common humanity.

As we know, correctional involvement doesn't impact just the individual, it is a family matter. The policies and procedures of the MDOC and the legislature are felt by the loved ones left outside the correctional walls. Through the guidance of the Maine Legislature the Department endeavors to ensure residents and clients are provided services, programs, and interventions that empower change and restore lives. Staff throughout the Department value accountability, respect, integrity, teamwork, and a commitment to honor the rehabilitation of clients and residents.

Some of the success we've seen of late include:

- This time last year the MDOC opened the Downeast Correctional Facility. The reopening of this facility marked the fruition of a promise made by Governor Mills to the people of Washington County as supported by this Legislature in the biennium budget. Today the facility is serving 30 community custody male residents, the majority of whom are answering the needs of local employers by working or providing restitution hours to businesses and organizations throughout the greater Washington County community.
- In Windham, the construction, renovations, security upgrades, and demolition to the Maine Correctional Center, as approved by the 128th Legislature are nearing completion. To date the brand-new programs and activities building, central utility plant and maintenance, waste treatment building, new kitchen,



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dining, laundry, medical, administration and housing areas are fully operational and function well. Work continues on the implementation of a women's medical and mental health unit, as well as a food processing system. We look forward to a grand opening later this spring.

- The Department has committed to the use of solar power. Efforts include:
 - Creation of a departmental energy team, in collaboration with the Governor's Energy Office and the Department of Energy, to develop an internal Energy Management System which includes new policies and efforts to obtain a 50,001 Ready certification at DCF.
 - 118 roof top solar panels installed as part of the Downeast Correctional Facility construction. These panels produced 104MW of solar energy in 2022. Also, the Department is moving ahead with a 4.99MW solar project on the grounds of the Maine State Prison and Bolduc Correctional Facility in Warren.
 - The establishment of a solar field behind the Maine State Prison covering 24 acres.
 - Installation of three EV charging stations, in collaboration with the Governor's Energy Office and Efficiency Maine.
- The changes within the Division of Juvenile Services (DJS) over the last several years have been remarkable. The Average Daily Population (ADP) has come down from 86 in 2016 to 31 in 2021, to 20 today. The amount and type of training provided to staff has become more tailored to the needs of youth encountering juvenile services. We have brought in tenured leaders from the juvenile corrections field, including Associate Commissioner Christine Thibeault and Long Creek Superintendent Lynne Allen, both of whom have decades of experience in juvenile justice reform. Further, we've continued our efforts to build up community-based programming and services by allocating an additional \$1.4 million in FY23 to community providers, on top of the regular \$4.6 million juvenile allocations in FY23 thereby reducing the reliance on Long Creek.
- In late December of this year, we opened the ACER House, a staff-secure residence, on the edge of the LCYDC property, that allows for the placement of detained and committed girls outside of the Long Creek facility. The name ACER was thought of by current residents and staff who wanted a name reflective of hope and change. ACER stands for Authentic, Courageous, Empowerment, Resilient. Today two girls are residing there, both of whom are committed. The opening of this residence is further evidence of the department's commitment to reducing the use of institutional secure confinement by increasing the capacity and use of community-based programming and supports.
- Lastly, I want to highlight the ongoing efforts of the Department to ensure treatment, recovery, and harm reductions services for residents with substance use disorder. As you're aware, the Maine Department of



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Corrections is a national leader in the provision of treatment services. We have been heralded by the federal government's Office of National Drug Control Policy as the model to emulate. We've hosted numerous federal visitors, including the Office of Substance Abuse and Mental Health Services Administration, and provided technical assistance to numerous state and county correctional facilities.

But perhaps the best identifier of success is the treatment rate. Today more than 765 residents are receiving medication for the treatment of a substance use disorder, coupled with individual and or group counseling and peer support. Since we overhauled our treatment services in 2019, nearly 1,500 residents have gone through the program and discharged with a continuity of care plan in place, complete with a bridge prescription, counseling appointment, and contacts with recovery centers and peer support or recovery specialist. Our data tells us that residents who receive treatment services while with the MDOC reduce their risk for fatal overdose by 60% compared with those MDOC residents who did not participate in MDOC's services. Furthermore, our facilities are safe. Assaults on staff, assaults between residents, use of weapons have dropped from triple digit numbers per year to single digit numbers per year.

I am proud of the staff across this department who take seriously the call to normalize and humanize the experience of residents and clients.

This is what corrections should look like in 2023 and with your help, the Maine Model of Corrections will continue to uphold the values of this State.

I look forward to talking more about the department, our priorities, and our shared work throughout this session.

Now to the specifics of the Department's requests in the biennial budget.

As I go through the initiatives, you'll see there are several initiatives that reoccur within multiple sections of our budget.

Specifically, we have reoccurring requests for:

1. Funding for statewide insurance coverage provided through the Department of Administrative and Financial Services, Division of Risk Management based on claims experience, coverage increases, attorney fees.

You'll see these references eleven times throughout my testimony today.

It's basically an ancillary fee associated with having contracts within DAFS that provide high quality insurance, loss control, and claims services to all state agencies.

2. Next, you'll see six initiatives for the increased cost of electricity.



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3. Twice you'll see a reoccurring initiative for funding the statewide property leases provided through the Department of Administrative and Financial Services, Division of Leased Space for our adult and juvenile community corrections leases. The nominal amounts account for increased ancillary fees associated with leasing contracts.

4. The last initiative you'll see multiple times throughout the afternoon is a reference to establishing a corrections fuel program.
There is one request for new money for correctional fuel, the other references you'll see removes fuel money from facilities and puts that money into the newly established Corrections Fuel account which will pay the fuel bills for the facilities.
We are establishing the new Corrections Fuel account to reduce the burden on the individual facilities to manage the fuel cost fluctuations.

Beginning on page A-140 of the General Fund Recommended Biennial Budget for Fiscal Years 2024-2025, Part A, we have the Department's baseline appropriation for the biennium which is predominantly in the General Fund with an appropriation of \$229M and \$232M over the Biennium. Federal Expenditures and Federal Block Grant, Other Special Revenue and Prison Industries are small in comparison with a baseline allocation of \$8.4M and \$8.5M respectively.

Administration (0141)

Page A-141 begins our first program, Administration, which represents the Department's central functions including the Office of the Commissioner, Victim Services, Classification, Investigation and Audit Functions, Adult and Juvenile Services, Medical and Treatment services. The Administration program also includes costs associated with the Department of Administrative and Financial Services, internal service fund charges, for Information Technology, Finance, Human Resources, and other services provided by DAFS.

The new initiatives include:

1. Funding for increased fees for legal services provided by the Office of the Attorney General in the amount of \$22,702 in FY 23/24, and the same amount in FY 24/25.
2. Nominal funding for fees associated with statewide insurance coverage provided through the Department of Administrative Services, Division of Risk Management, which I mentioned at the start of this testimony. We are requesting \$4,235 in FY 23/24 and the same amount in FY 24/25.
3. Funding in the amount of \$310,742 in FY 23/24 and \$318,888 in FY 24/25 for technology related costs associated with our contract with the Office of Technology.
4. Funding to support the department's share for services provided by the Corrections Service Center. The Department of Administrative and Financial Services agency provides financial and human resources services to the Department for \$49,731 in FY 23/24 and \$ 104,760 in FY 24/25.



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5. Funding to support an increase in technology contracts in the amount of \$560,091 in FY 23/24 and the same amount in FY 24/25. The department relies on several technology contracts to assist with programming and gathering data.

6. The last two initiatives are the transfer of positions, basically the movement of positions from one program to another.

- o The first of the two initiatives is to transfer the amount of \$142,004 in FY 23/24 and \$149,478 in FY 24/25.
- o The second of these initiatives is to transfer the amount of \$130,288 in FY 23/24 and \$137,435 in FY 24/25.

I will move on to our next program, Adult Community Corrections on page A-144.

Adult Community Corrections

The Adult Community Corrections program provides funding related to the cost of probation officers, support staff, regional offices and contracted community services for the supervision of the more than 5,400 adult clients who are on probation, supervised community confinement or parole.

There are nine initiatives for the Adult Community Corrections program.

The new initiatives include:

1. Provides funding for statewide property leases provided through the Department of Administrative and Financial Services, Division of Leased Space.
2. Provides funding for statewide insurance coverage provided through the Department of Administrative and Financial Services, Division of Risk Management based on claims experience, coverage increases, attorney fees on claims and actuarially recommended reserves.
3. Provides funding for Leading the Way transition house in Bangor. This is a residential program for adult males exiting the justice system, or those on Supervised Community Confinement Program, or probation. The residence offers a safe, normative home setting, with close proximity to services, education, and employment. There is space for 14 men, currently there are 13 residing, three of whom are part of the department's early release program called Supervised Community Confinement.
4. Provides funding for adult probation to ensure housing assistance is available for residents being released into the community or are otherwise in need of short-term housing assistance.
5. Provides funding for increased lease costs associated with relocation of several adult probation offices.
6. Provides funding for increased cleaning contract costs.
7. Removes \$1,716 from Adult Community Corrections and put the funds into the newly established Correctional Fuel program.



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8. This is not a request for new money. This initiative is an allotment to align a federal fund grant award. This initiative is simply asking for the amount increase in the allotment, so we don't need to do so many financial orders throughout the year.
9. Transfers one Secretary Specialist position and one part-time Office Associate II position from Adult Community Corrections program to Administration-Corrections program within the same fund.

I will move on to our next program, the Bolduc Correctional Facility on page A-146.

Bolduc Correctional Facility

The Bolduc Correctional Facility is located in Warren. BCF is a male minimum security facility with a current population of approximately 199. Bolduc provides educational programs, treatment, work release and community restitution.

There are two initiatives for the Bolduc Correctional Facility program.

The new initiatives include:

1. Provides funding for the increased cost of electricity
2. Removes \$105,000 each year to the Corrections Fuel program

I will move on to our next program, Capital Construction/ Repairs/ Improvements on page A-147.

Capital Construction/ Repairs/ Improvements

The Capital Construction/ Repairs/ Improvements Program is an account associated with Federal Expenditure funding related to Capital Construction. The account is currently inactive as no Federal funding has been received and contains a placeholder of \$500 should the Department receive funding in the future.

There are no initiatives for the Capital Construction/ Repairs/ Improvements program.

I will move on to our next program, the Maine Correctional Center on page A-148.

Maine Correctional Center

The Maine Correctional Center located in Windham and currently houses approximately 346 medium and minimum-security male residents. The Women's Center that is within the Maine Correctional Center currently houses approximately 82 women. Maine Correctional Center provides education, treatment and industries programs for men and women. The Maine Correctional Center also serves as the intake facility for the department. Adjacent to the Maine Correctional Center is the Southern Maine Women's Re-entry Center. This



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minimum-security facility currently has a population of approximately 71 women and provides educational programs, treatment, work release and community restitution.

There are three initiatives for the Maine Correctional Center.

The new initiatives include:

1. Provides funding for statewide insurance coverage provided through the Department of Administrative and Financial Services, Division of Risk Management based on claims experience, coverage increases, attorney fees on claims and actuarially recommended reserves.
2. Provides funding for the increased cost of electricity.
3. Removes \$652,955 each year and places it in the Corrections Fuel program

I will move on to our next program the Correctional Medical Services Fund on page A- 150.

Correctional Medical Services Fund

The Correctional Medical Services Fund provides contracted medical and other health and treatment related services to residents under the department's custody.

The Department contracts with Wellpath, a national correctional healthcare provider working in more than 30 states across the country. Their specialization in the treatment of high risk and vulnerable populations has served Maine's prison system since 2012. In FY22 the current contract was encumbered with a 2-year cycle. We're currently in year 2 of the cycle and therefor going through the negotiation phase.

Our current contract, for FY23 is \$32.6 million

Correctional healthcare is fully encompassing.

Think of it as your local dentist, your local pharmacy, your primary care physician, your behavioral health provider, your substance use treatment provider, and oral surgeon, your psychiatrist, your walk-in clinic, your urgent care clinic complete with a lab and mobile x-ray center, your ambulatory care, assisted living, your chronic care provider, your outpatient clinic, your local hospices residence, all rolled into one and housed inside the facilities of the Maine Department of Corrections.

Daily, Wellpath staff are meeting the physical health needs, the behavioral health, oral health, preventative care including numerous health screenings, diagnosis, as well as care for minor and major health concerns of nearly 1,700 residents across the State.



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The health issues of the nearly 1,700 residents in our care are as varied as those in any community across the country.

However, what we see so often is residents in correctional facilities have chronic health conditions that have gone unaddressed for decades. By the time someone enters the state correctional system, they may be 10, 15, 20 years from any sort of routine preventive health care. As a result, our medical contract must reflect the costs associated with the care of hundreds of residents with chronic health conditions like hypertension, heart disease, obesity, mental health and psychiatric disease, cancers, dementia, arthritis, as well as the costs associated with pre- and post-surgery, and complications associated with many of the aforementioned health conditions.

The Department of Corrections is mandated by State statutes and the Constitution to provide quality health care regardless of the types of medical needs of those in our care.

There are two initiatives for the Correctional Medical Services Fund.

The new initiatives include:

1. The first initiative provides funding for increased costs in our medical contract.
The amount for FY 23/24 and FY 24/25 you'll see are the same, and they represent an estimate based on the consumer price index, which is based on trends in expenses, not on actual fiscal need.
As I mentioned, we are in the middle of negotiating this contract, so we anticipate additional requests related to our medical contract.
2. The second initiative replaces funding the department was receiving from the Office of Behavioral Health, which was pass through money from a federal award. This money paid for subcontractors at Mountain View Correctional Facility and Long Creek. The funds specifically covered counseling and clinical support for residents with substance use disorder.
The initiative will cover what was lost from that federal award.

I will move on to our next program the Corrections Food on page A-151.

Corrections Food

The Corrections Food program consolidates food commodity purchases by centralizing the control and purchase of food allowing the Department to take advantage of opportunity buying, coordinate dietary requirements through healthier coordinated menus, and provide direct oversight to reduce the commodity cost of food throughout the system.



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As some of you have seen, the Department of Corrections has a robust agricultural program, yielding hundreds of thousands of pounds of food each year. We are able to donate about half of what we grow to area food pantries, supporting our pledge to reduce hunger in Maine.

In addition to donating fresh, locally grown produce, we are able to ensure our residents enjoy healthy, locally grown food that reduces the health implications of high sodium, high caloric diets often seen in prisons. In addition to providing healthy menu options, our agricultural and farm to table program offers dozens of career and technical education opportunities for residents. Residents learn to grow, learn to harvest, learn about soil, and greenhouses; they also learn the kitchen operations, they learn to menu plan based on what we've grown, they learn to prepare and cook what's grown. All of this leads to employment opportunities inside the facility, and of course prepares residents for work in these fields upon reentry.

But until we can be completely self-sufficient, we will need to continue to seek funds related to increased food costs.

The new initiative is specifically related to the increased costs of food. We're looking at funding in the amount of \$471,158 in FY 23/24 and the same amount in FY 24/25.

I will move on to our next program the Corrections Fuel on page A-152.

Corrections Fuel

As I mentioned earlier, the Department is establishing a new Corrections Fuel program. Our goal in setting up this new account is to take the burden off the multiple facilities. Their budgets fluctuate dramatically based on the costs of fuel, causing unnecessary budget burdens.

The first initiative is a request for new money, just over \$1.3 million in each year to cover the increased costs of fuel. This new money will go into this new account.

The second initiative is not a request for money, rather the \$2.2 million in each fiscal year is the sum of the fuel money taken from the facilities.

I will move on to our next program the Correctional Industries still on page A-153.



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Correctional Industries

The Correctional Industries program has a long history of producing quality products while providing residents the opportunity to learn marketable job skills. Industries works to develop partnerships with manufactures in the community. Our partnering with outside manufactures serves a dual purpose, while teaching residents a new skills and opportunity to save money, it creates a relationship with outside companies willing to hire those with justice involvement.

There is one initiative for the Correctional Industries program.

The new initiatives include:

1. The reoccurring funding for statewide insurance coverage provided through the Department of Administrative and Financial Services, Division of Risk Management based on claims experience, coverage increases, attorney fees on claims and actuarially recommended reserves.

I will move on to our next program the County Jail Operations Fund on page A-154.

The County Jail Operations Fund

The County Jail Operations Fund provides funding to county jails. The Department is a conduit of state and court funding to the county jails. The Department also provides administrative services to the jails and maintains the Corrections Reporting of Actuals System (which is income statement data) and the Bed Availability Reporting System (which is jail population data) at no cost to the jails.

There are no initiatives for the County Jail Operations Fund program.

I will move on to our next program Departmentwide Overtime still on page A-154.

Departmentwide Overtime

The Departmentwide Overtime program supports the costs of overtime incurred in the Department's correctional facilities for unbudgeted overtime. This program was established to reduce the need for emergency budget requests.

There are no initiatives for this program.

I will move on to our next program the Downeast Correctional Facility on page A-155.



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Downeast Correctional Facility

The Downeast Correctional Facility (DCF), a pre-release center which opened in January of 2022 on the grounds of the previous Downeast Correctional Facility, has a staff of 15 and receives support and oversight by management of the Mountain View Correctional Facility. DCF currently houses 31 men, most of whom participate in MDOC's pre-release program, allowing them to work in the community and contribute to the local economy. Industries served by this program include the lobster, blueberry and wreath industries. The facility offers college programming, treatment of Substance Use Disorders, Supervised Community Confinement, restitution crews, and is a satellite for formalized apprenticeships supported by Mountain View Correctional Facility and the Maine Department of Labor.

There are three initiatives for Downeast Correctional Facility.

The new initiatives include:

1. The reoccurring funding for statewide insurance coverage provided through the Department of Administrative and Financial Services, Division of Risk Management based on claims experience, coverage increases, attorney fees on claims and actuarially recommended reserves
2. Funding for the increased cost of electricity
3. Removal of \$70,081 to be placed in the Corrections Fuel program

I will move on to our next program Justice, Planning, Projects & Statistics on page A-156.

Justice - Planning, Projects & Statistics

The Justice, Planning, Projects & Statistics program managed through The Juvenile Justice Advisory Group administers federal funding from the Department of Justice and the Office of Juvenile Justice and Delinquency Prevention. These funds support prevention, intervention and juvenile justice system improvement grants to local, state and community service providers.

There is one initiative for this program.

The new initiatives include:

1. Again you'll see funding for statewide insurance coverage provided through the Department of Administrative and Financial Services, Division of Risk Management based on claims experience, coverage increases, attorney fees on claims and actuarially recommended reserves

I will move on to our next program Juvenile Community Corrections on page A-157.



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Juvenile Community Corrections

The Juvenile Community Corrections program funds the cost of juvenile community corrections officers, support staff, office space and contracted community services related to the supervision and treatment needs of juveniles under community supervision. In 2022, Juvenile Community Corrections received 1,925 referrals from law enforcement agencies throughout Maine. Of those referrals, 575 cases were diverted from court. That means about 87% of the cases were eligible for diversion. Juvenile Community Corrections Officers supervise 86 youth who are on probation, and many more who are on court-ordered supervised conditional releases.

There are four initiatives for this program.

The new initiatives include:

1. The first initiative is for funding for fees associated with statewide property leases provided through the Department of Administrative and Financial Services, Division of Leased Space.
2. The next initiative, as you've seen now several times, provides funding for statewide insurance coverage provided through the Department of Administrative and Financial Services, Division of Risk Management based on claims experience, coverage increases, attorney fees on claims and actuarially recommended reserves.
3. Removes \$2,000 from the fuel line and puts it into the Corrections Fuel program
4. Transfers one Office Associate II position and one part-time Public Service Coordinator I position from Juvenile Community Corrections program to Administration-Corrections program within the same fund.

I will move on to our next program Long Creek Youth Development Center on page A-159.

Long Creek Youth Development Center

The Long Creek Youth Development Center in South Portland is Maine's only secure facility serving juveniles. The facility provides reception and diagnostic services, education, special education, mental health, medical and substance use disorder treatment services, and treatment for problem sexual behavior.

Long Creek serves pre-adjudicated youth being held for court appearances. Currently there are eleven boys on this detention status.

Long Creek also serves adjudicated or committed juveniles. Currently there are seven boys who have been committed to Long Creek. You'll notice I said only boys inside of Long Creek. That's because, in addition to Long Creek, the Division of Juvenile Services also supports the operation of two community-based residences. On the edge of the Long Creek property is a standalone secure residence for girls, called ACER House.



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Currently there are two committed girls residing there. We also have a community-based residence for boys known as Unity Place in Auburn.

As I mentioned at the start of this public hearing, the changes within the Division of Juvenile Services (DJS) over the last several years have been remarkable.

Many current and former legislators have been instrumental in helping the Maine Department of Corrections continue to reduce the use of secure confinement by enhancing cross-system collaboration and increasing the use of community-based programming, housing, and other supports.

- In 2016 the average daily population of youth at Long Creek was 86.
- In 2021 that was down to 31.
- Today, as you've heard we have 20 youth.

We are all in agreement that secure confinement should be reserved for those who pose a notable public safety risk.

These decreasing numbers illustrate that Maine's effort to bolster community support is resulting in fewer youth at Long Creek.

These efforts do not belong to just the Department as we are the reactive system. It's the hundreds of community providers working proactively with young people, so they don't end up in our system. It's the dedicated teachers, social workers, advocates, coaches, mentors, religious leaders, who intervene in big and small ways every day.

What we are able to do is support, with funds, under your purview, the building up of community-based programming and services, as a way of decreasing the reliance on Long Creek.

Our combined FY23 budget allocated \$6.1 million dollars into the community. This money allows community-based organizations to do transformational work with youth and their families. This investment in communities is helping keep youth out of Long Creek.

I'll give you some examples:

- New Beginnings, which provides emergency shelter to homeless young people, and offers transitional programs and attendant care to youth received more than \$315,000 dollars.
- More than \$1.2 million goes to organizations providing restorative justice services.
- The Youth Advocate Program, that provides transformative mentoring and advocacy for justice involved and justice at risk youth receive nearly \$673,000 dollars.



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- More than \$570,000 go to providers offering Hi-Fi wraparound, which is an intensive case management system that wraps up youth and family in needed supports.
- Community providers specializing in multi systematic therapy for problem sexual behavior treatment receive more than \$663,000 dollars to work with youth.
- \$1.4 million went directly to 14 providers, including Preble Street Teen Services, Tree Street in Auburn, Maine Youth Court, Learning Works and Spurwink for highly specified needs upon request.

In this budget you won't see many requests for Long Creek.

There are five initiatives for Long Creek.

The new initiatives include:

1. The reoccurring funding for statewide insurance coverage provided through the Department of Administrative and Financial Services, Division of Risk Management based on claims experience, coverage increases, attorney fees on claims and actuarially recommended reserves.
2. The reoccurring request for funding for the increased cost of electricity.
3. The removal of \$244,460 money for fuel which will be moved to the new Corrections Fuel account.
4. The request for an allotment to align federal fund grant award—this is not a request for new money, it's a request to increase allotment to reduce the need for financial orders throughout the year.
5. The last initiative transfers 2 Office Associate II positions from Long Creek Youth Development Center program to State Prison Program within the same fund.

I will move on to our next program Mountain View Correctional Facility on page A-161.

Mountain View Correctional Facility

The Mountain View Correctional Facility is located in Charleston and houses approximately 307 medium and minimum-security male residents. The facility provides education, work opportunities, community restitution and mental health, medical, substance use disorder and problem sexual behavior treatment services.

There are four initiatives for the Mountain View Correctional Facility program.

The new initiatives include:

1. The first is the reoccurring funding for statewide insurance coverage provided through the Department of Administrative and Financial Services, Division of Risk Management based on claims experience, coverage increases, attorney fees on claims and actuarially recommended reserves.
2. The next provides funding for the transportation of raw sewage to a local treatment plant.
3. Is a request for funding for the increased cost of electricity



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4. The last initiative removes nearly \$400,000 from their fuel line and moves it into the Corrections Fuel program.

I will move on to our next program Office of Victim Services on page A-163.

Office of Victim Services

The Office of Victim Services is responsible for the provision of services to victims of crime whose offenders are in the custody of or under the supervision of the Department of Corrections.

A person who is the victim of a crime is entitled to certain basic rights: 1) to be treated with dignity and respect; 2) to be free from intimidation; 3) to be assisted by criminal justice agencies, and 4) to be informed about the criminal justice system.

Rights of victims are served through information, resources, and referrals. As a department we take seriously the impact crime has on victims. Victim centered safety planning and victim wrap around planning pertinent to victim's safety is offered and arranged by the Office of Victim Services.

As you review the budget for the Office of Victim Services, keep in mind the DOC is a pass through for funds for the Maine Coalition to End Domestic Violence, therefore we do not keep any portion of these funds, nor does the DOC receive any sort of administrative fees. The Office of Victim Services also has a position fully funded through the Victims of Crime Act grant.

There are three initiatives for the Victim Services program.

The new initiatives include:

1. First, the reoccurring funding for statewide insurance coverage provided through the Department of Administrative and Financial Services, Division of Risk Management based on claims experience, coverage increases, attorney fees on claims and actuarially recommended reserves.
2. Provides funding for the Elder Victim's Restitution Fund. This is a new request to establish an allotment so that money can be paid out.
3. Provides funding for the approved reclassification of one Chief Victim Services Advocate position to Public Service Manager I position. This approved reclassification has an effective date March 10, 2020.

I will move on to our next program Parole Board on page A-164.



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Parole Board

The Parole Board program reviews requests from residents who are eligible for parole. In 1976 Maine abolished parole. Currently, there is one resident eligible for a parole hearing, as he was convicted prior to the abolition of parole.

The Department's Division of Community Corrections manages clients on parole, there are 10.

There are no initiatives for this program.

I will move on to our next program the Maine State Prison on page A-165.

Maine State Prison

The Maine State Prison, located in Warren, currently houses approximately 646 male residents. Programming activities include Industries, education, vocational programming, wellness offerings, mental health and substance use disorder treatment. There is housing for protective custody residents, an infirmary, and the Intensive Mental Health Unit is located here.

There are five initiatives for the Maine State Prison.

1. The reoccurring funding for statewide insurance coverage provided through the Department of Administrative and Financial Services, Division of Risk Management based on claims experience, coverage increases, attorney fees on claims and actuarially recommended reserves.
2. The next initiative provides funding for the increased wastewater treatment costs charged by the local municipal sanitary district.
3. Provides funding for the increased cost of electricity
4. The fourth initiative removes nearly \$800,000 from their fuel program and puts it into the Corrections Fuel program
5. Transfers 2 Office Associate II positions from Long Creek Youth Development Center program to State Prison program within the same fund.

The subsequent pages include the additional language.



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Language

PART HH

Sec. HH-1. Transfers and adjustments to position count. The Commissioner of Corrections shall review the current organizational structure of the Department of Corrections to improve organizational efficiency and cost-effectiveness and shall recommend transfers of positions and available balances. Notwithstanding any provision of law to the contrary, the State Budget Officer shall transfer the position counts and available balances by financial order, in order to achieve the purposes of this section, from July 1st to December 1st of each fiscal year of the 2024-2025 biennium. Position adjustments made after December 1st and before July 1st of each fiscal year may not be considered an adjustment to position count or appropriations. The transfer and adjustment authorized by this section must comply with the requirements of the Maine Revised Statutes, Title 5, section 1585. Any transfer or adjustment pursuant to this section that would result in a program or mission change or facility closure must be reported by the Bureau of the Budget to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters for review before the associated financial order is submitted to the Governor for approval; these transfers are considered adjustments to authorized position count, appropriations and allocations.

PART HH

SUMMARY

This Part allows the Commissioner of the Department of Corrections to review the current organizational structure to improve organizational efficiency and authorizes the State Budget Officer to transfer positions and available balances by financial order. The ability to make these transfers is limited to the period of July 1st to December 1st of each fiscal year in the 2024-2025 biennium. Any transfers resulting in a mission change or facility closure must have legislative review.

PART II

Sec. II-1. Department of Corrections; transfer of funds for overtime expenses. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any provision of law to the contrary, the Department of Corrections, by financial order upon the recommendation of the State Budget Officer and approval of the Governor, may transfer Personal Services, All Other or Capital Expenditures funding between accounts within the same fund for the purposes of paying overtime expenses in fiscal years 2023-24 and 2024-25. These transfers are not considered adjustments to appropriations.

PART II



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SUMMARY

This Part authorizes the Department of Corrections to transfer funds in Personal Services, All Other or Capital Expenditure line categories between accounts within the same fund by financial order for the purpose of paying departmental overtime expenses in the fiscal year of 2023-24 and 2024-25.

PART JJ

Sec. JJ-1. Transfer of Personal Services balances to All Other; Department of Corrections. Notwithstanding any provision of law to the contrary, for fiscal year 2023-24 and 2024-25 only, the Department of Corrections is authorized to transfer available balances of Personal Services appropriations and allocations in the Long Creek Youth Development Center program after all salary, benefit and other obligations are met to the All Other line category of the Long Creek Youth Development Center program for the purposes of funding juvenile community programs and services. These amounts may be transferred by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

PART JJ

SUMMARY

This Part authorizes the Department of Corrections to transfer, by financial order, unobligated balance from Personal Services to the All Other line category in the Long Creek Youth Development program for fiscal year 2023-24 and 2024-25.

PART KK

Sec. KK-1. Transfers of funds for food, heating and utility expenses. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, or any other provisions of law, the Department of Corrections, upon recommendation of the State Budget Officer and approval of the Governor, is authorized to transfer, by financial order, All Other funding between accounts within the same fund for the purposes of paying food, heating and utility expenses in fiscal years 2023-2024 and 2024-2025.

PART KK

SUMMARY

This Part authorizes the Department of Corrections to transfer, by financial order, between accounts within the same fund in the All Other line category for the purpose of paying food, heating and utility expenses in the fiscal year of 2023-24 and 2024-25.

PART LL

Sec. LL-1. Department of Corrections, Admin Corrections-Carrying account; lapsed balances. Notwithstanding any provision of law to the contrary, \$1,057,303 of unencumbered balance forward from the Department of Corrections, Admin Corrections-Carrying account, General Fund carrying account, All Other line category lapses to the unappropriated surplus of the General Fund no later than June 30, 2024.



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**PART LL
SUMMARY**

This Part lapses \$1,057,303 of unencumbered balance forward from the Department of Corrections, Admin Corrections-Carrying account to the General Fund in fiscal year 2023-24.

PART MM

Sec. MM-1. Transfer of funds for fuel expenditures. Notwithstanding any other provision of law, the Department of Corrections may transfer available balances designated for fuel expenditures in facility accounts to the Department of Corrections, Corrections Fuel program, General Fund account by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are considered adjustments to appropriations.

**PART MM
SUMMARY**

This Part authorizes the Department of Correction to transfer appropriations for fuel expenditures from all General Fund accounts within the Department into the new consolidated Corrections Fuel, General Fund account by financial order.

This concludes my testimony.

Thank you and I'm happy to answer questions.

Randall A. Liberty
Commissioner
Maine Department of Corrections