



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 29, 2024

**LD 2214, An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State
Government, General Fund and Other Funds and to Change Certain Provisions of the Law Necessary to
the Proper Operations of State Government for the Fiscal Years Ending 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

The supplemental budget is a balanced, prudent, and responsible proposal that advances the Governor's long-held belief that we must continue to invest in the people of Maine, our greatest asset.

That is why the Governor's proposal strikes the balance between making timely investments to address urgent needs – like public safety, mental health, housing, education, and health care – and saving money to ensure that our state continues to stand on strong fiscal footing in the future.

We look forward to working with the Legislature in the coming weeks to arrive at a budget that protects our fiscal health and that makes prudent and timely investments to support the health, safety, and welfare of Maine people.

DEPARTMENT SPECIFIC INITIATIVES

The initiatives for Maine Department of Corrections within the 2024-2025 supplemental budget are targeted primarily at two key items: (1) Implementation of the Department's new Offender Management System; and (2) Pass through funding for the Medication Assisted Treatment (MAT) programs in County Jails. Each is



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addressed separately below. In addition to these initiatives, we've also included testimony supporting an initiative within the Department of Health and Human Services' budget aimed at filling a gap in the Victims of Crime Act Fund that directly impacts the work of our department, as explained below.

Offender Management System

The Offender Management System (OMS) is Maine Department of Corrections' keystone application for the management and tracking of resident information and departmental data, and the application we rely upon for all documentation and reporting of information on adult and juvenile clients within our system. To give just a few examples of its broad functionality, the OMS is the essential application and database for our resident and client reception and commitment data, classifications, case plans, case progress tracking, program participation tracking, sentencing information, release date tracking, good-time tracking, incident tracking, grievance tracking, transfer management, restitution and supervision fee payments, trust accounts, property tracking, and commissary accounts. Additionally, every report produced by MaineDOC, especially those containing hard data and statistics, relies upon information stored within the OMS. It's difficult to overstate the importance and broad usage of the OMS within the Department, as it's the central daily touch point and application relied on by MaineDOC staff. Given that context, it should be easy to understand why we face a number of problems related to the fact that the current system is more than 20 years old.

From a user or usability perspective, the interface of our current OMS is not built with the same design and features we've come to expect from modern technology applications. The way information is organized and accessed throughout the application makes it difficult for users to navigate, and the system simply isn't capable of certain functions that are necessary to meet the business needs and work flows of our department or the types of data tracking that is increasingly of interest in legislative reports. Additionally, the application does not port or flow well to mobile devices, it runs on an outdated web interface that is only vendor-certified for use on Internet Explorer (a web browser that is no longer supported by its creator, Microsoft) and is built upon a code base that is not fully compliant with modern web application standards.

However, the need for a new OMS is not simply a matter of user convenience, as there are also serious issues with our current OMS from a systems and security perspective. The current OMS application was built upon system infrastructure and code that is no longer relevant in 2024 and fails to meet national benchmarks for best practices set by the Corrections Technology Association (which adheres to American Correctional Association standards). This fact causes problems with application compatibility and creates serious security vulnerabilities that are often extremely expensive to address. The Maine Office of Information Technology (MaineIT) does periodic reviews of systems within state agencies to identify and address security vulnerabilities. The last time MaineIT conducted a review of our OMS, it identified several vulnerabilities that ultimately cost our department over \$100,000 to address. As the system continues to age it will become more and more difficult to



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address similar problems due to the fact that the system is built on outdated code. Furthermore, the company that is our provider for the current OMS only has one employee left who is even trained in using that outdated code. If that person were to leave the company, there would not be anyone left who could quickly remediate issues which arise with our current OMS, and we have no in-house applications development expertise to fill that void. This fact in and of itself speaks to the need to be proactive in transitioning our OMS. System transitions are slow and always require funding. It would be highly problematic from both a system security perspective and from an administration of departmental duties perspective if our OMS ran into problems that could not be addressed swiftly.

Despite the upfront costs of the initial investment, replacing the current OMS will result in long term savings from having a modern system that is not frequently in need of expensive security fixes, or code and database updates to accommodate changes to business rules, department policies, or laws. The new system we have chosen will also be highly configurable, which will benefit the department greatly by facilitating increased efficiency and ease of use for departmental staff. Ultimately, this system update is incredibly important to the Department and long overdue. For these reasons, we hope to have your support for the following initiatives that provide funding for this update.

Initiative 0141:

The \$4.8 million included in this initiative for FY 24-25 provides one-time funding for the initial building and implementation of the new Offender Management System, and the \$900,000 in FY 23-24 provides one-time funding for the relevant fees and subscription costs.

These initial costs are the first step in implementing our pending contract with Mi-Case, Inc., the chosen provider for our new OMS. The base term for the contract is five years (4/1/2024 through 3/31/2029), for a total sum of \$13,473,290. The department went through a thorough RFP process before choosing Mi-Case Inc., whose bid conveniently offered both the lowest cost and the system that is best suited to accomplish our Department's needs. Mi-Case, Inc. has served the corrections industry for over 27 years, with successful implementations in several other states, which we've confirmed from positive feedback in conversations with our contacts in those administrations. The system offered by Mi-Case, Inc. provides a modern interface with functionality that meets our business needs and a service plan that will ensure ongoing functionality.

The \$4.8 million will be transferred from the General Fund into an Other Special Revenue Funds account for this purpose under Language Part O, shown below. The \$900,000 will be transferred from savings within the food and fuel budgets under Language Part P, as described below.



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Initiative Z177:

This initiative moves \$400,000 worth of savings from MaineDOC's food budget to support the initial fees and subscription costs related to the new Offender Management System. These savings are the result of a few key factors including efficient spending and planning, as well as food costs being lower than initially anticipated over the last year. It's also worth noting that we've continued to see significant cost savings from our agriculture program, highlighted in the documentary Seeds of Change, as we've expanded that program across our facilities.

Initiative Z366:

This initiative moves \$500,000 worth of savings from MaineDOC's fuel budget to support the initial fees and subscription costs related to the new Offender Management System. These savings are the result of fuel rates dropping over the last year to significantly lower levels than indicated by initial projections.

MAT Funding for County Jails

Public Law 2021, c. 732 (previously LD 1654, An Act to Stabilize State Funding for County Corrections) in-part, required that each jail shall provide access to substance use disorder screening, assessment, medication, treatment, and all forms of medication for addiction treatment for the duration of a person's incarceration, pursuant to rules adopted by the Commissioner of Corrections.

Medication Assisted Treatment (MAT) is one of the most effective treatment tools, and is considered one of the highest standards of care, for individuals with Substance Use Disorder (SUD). The purpose of addressing addictions with medication is to reduce cravings for opiates, which helps individuals more effectively manage personal triggers and engage in prosocial activity. The methodology behind MAT combines the use of medication with counseling and behavioral therapy services that target the root causes of addiction.

The close nexus between SUD and reasons for incarceration means that addressing SUD is one of the key ways we can help rehabilitate the incarcerated population and ultimately reduce recidivism. The funding provided in the initiative below would assist in providing the county jails with the resources they need to deliver these critically important services.



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Initiative Z227:

This initiative provides ongoing passthrough funding for county jails to administer Medication Assisted Treatment (MAT) programs as required by Public Law 2021, c. 732, Part C, pursuant to the rules adopted by the Commissioner of Corrections. Utilizing the relevant authority under 34-A MRSA §1208-B, sub-§4, the Commissioner will establish criteria for the distribution of the funds provided under this initiative and distribute the funds according to that criteria.

Funding in Support of Services for Victims of Crime

Although initiative 0228 falls within the budget of the Department of Health and Human Services, rather than the Department of Corrections, we'd like to offer our strong support for that initiative, as it establishes much needed funding to fill the gap created by short falls in the federal Victims of Crime Act Fund. As explained below, that federal funding shortfall would directly impact the work done by our Office of Victims' Services.

The Victims of Crime Act (VOCA) is a federal law that has supported states in providing essential services to victims of violent crimes since 1984. Funding provided under VOCA supports the core of victim services in Maine including, but not limited to, civil legal representation through Pine Tree Legal Assistance and Legal Services for the Elderly, the Trafficking Victims Fund, the victim witness advocates, domestic and sexual violence community-based services, Children's Advocacy Centers, victim services for immigrants and refugees, and court appointed special advocates for children.

The Department of Corrections currently receives VOCA funding through our partnership with the Department of Health and Human Services for one Victim Advocate position in our Office of Victims' Services. Among other duties, our Victim Advocate is responsible for engaging with victims to ensure that they are receiving court ordered restitution and collaborating with partner agencies and organizations on the delivery of much needed services to victims of crime. This is an essential role in our Office of Victims' Services. Despite being a single position, our victim advocate has a big impact. In 2023 alone, our Victim Advocate played a key role in ensuring the delivery of approximately \$313,936 of the over \$1 million in restitution distributed to victims.

Projected shortfalls in the federal VOCA Fund in 2025 will result in a 62% reduction to VOCA funded services in Maine, about \$5.8 million. This initiative addresses that reduction by providing \$6 million in one-time funding for services currently funded by the federal VOCA Fund.



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While it is not currently clear how that reduction will impact the position within our department, we feel that the services funded through VOCA are an essential component to fulfilling both our statutory and ethical obligations to victims of violent crimes. We use this funding to serve more than 8,000 crime victims each year, and many of the providers that DOC staff work with in communities to help support victims are funded through VOCA as well. For these reasons, the department strongly supports initiative 0228.

Initiative 0228:

Provides one-time funding to fill the gap created by short falls in the federal Victims of Crime Act Fund for services in support of victims of crimes. This funding could directly affect our partnership with Department of Health and Human Services for one Victim Advocate position in our Office of Victims' Services.

Language Parts

Language part P and Language Part O are attached on the following pages.

This concludes my testimony.

Thank you and I'm happy to answer questions.

Randall A. Liberty
Commissioner
Maine Department of Corrections



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LANGUAGE PARTS

PART O

Sec. O-1. Transfer from General Fund unappropriated surplus; Administration - Corrections. Notwithstanding any provision of law to the contrary, on or before June 30, 2025, the State Controller shall transfer \$4,800,000 from the unappropriated surplus of the General Fund to the Department of Corrections, Administration-Corrections, Other Special Revenue Funds account for one-time implementation costs of the Offender Management System.

PART O SUMMARY

This Part requires the transfer of \$4,800,000 in fiscal year 2024-25 from the unappropriated surplus of the General Fund to the Department of Corrections, Administration-Corrections, Other Special Revenue Funds account for the purpose of supporting the one-time implementation costs of the Offender Management System.

PART P

Sec. P-1. Carrying provision; Department of Corrections, Department of Corrections. Notwithstanding any provision of law to the contrary, at the end of fiscal year 2023- 24, the State Controller shall carry forward up to \$900,000 appropriated for the subscription costs for the Offender Management System to fiscal year 2024-25 in the Department of Corrections program, General Fund account, All Other line category.

PART P SUMMARY

This part authorizes the Department of Corrections, Department of Corrections program to carry up to \$900,000 for the subscription costs for the Offender Management System.