



Maine County Commissioners Association

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March 18, 2026

Sen. Beebe-Center, Chair
Rep. Hasenfus, Chair
Joint Standing Committee on Criminal Justice and Public Safety
100 State House Station
Augusta, ME 04333

Re: ***Testimony of MCCA regarding LD 2232, An Act to Increase County Jail Funding***

Chair Beebe-Center, Chair Hasenfus, and Members of the Joint Standing Committee on Criminal Justice and Public Safety:

On behalf of the Maine County Commissioners Association (MCCA), we write in ***strong support*** of LD 2232. This legislation implements the core funding recommendation of the County Corrections Professional Standards Council and represents an important step toward restoring a sustainable and predictable state partnership in funding Maine's county jail system.

About MCCA. Briefly, the Maine County Commissioners Association was established in 1890 to assist Maine's county government in providing vital services to Maine citizens in a responsive, efficient, and credible manner. The Association is based in Augusta, represents all 16 of Maine's counties, and is governed by a board with representation from each participating county.

What does LD 2232 do? LD 2232 implements the core funding recommendation of the County Corrections Professional Standards Council following its comprehensive review of county jail funding conducted pursuant to LD 719. Specifically, the bill does the following:

1. Increases the State's annual contribution to the County Jail Operations Fund from \$20,342,104 to \$28,342,104 beginning July 1, 2026, and provides that this amount must increase by 4% annually thereafter.
2. Appropriates an additional \$5,000,000 to the County Jail Operations Fund to support community programs and services such as pretrial or conditional release programs, alternative sentencing or housing programs, and electronic monitoring.
3. Makes a technical change to the formula used to distribute funds from the County Jail Operations Fund by requiring the distribution to be based on the previous state fiscal year for which data is available.

Together, these provisions represent a significant step toward restoring a sustainable and predictable state partnership in funding county jail operations.

Discussion. County jails play a critical role in Maine's criminal justice system. At the same time, counties face increasing financial pressure to operate these facilities due to rising personnel, healthcare, and treatment costs. As a result, county governments across Maine are confronting growing financial pressure driven largely by the rising cost of jail operations, which ultimately impacts local property taxpayers. County jails primarily exist to serve the state's criminal justice system, yet ***state support for county jails as a percentage of their operating costs continues to go down*** as shown below.

	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27
County Jail Operating Costs	\$90.6M	\$90.8M	\$97.6M	\$108M	\$115.5M	\$127.2M ¹	\$132.3M ²	\$137.6M ³
State Funding	\$18.5M	\$18.5M	\$20.4M	\$20.4M	\$20.4M	\$24.4M	\$24.4M	\$20.4M
State Funding %	20%	20%	20%	18%	17%	19%	18%	14.8%

As the percentage of state support declines, the cost of operating county jails continues to go up, driven by rising healthcare costs and rising labor costs impacting every business and unit of government in Maine. To meet these growing costs, counties have no option but to increase their assessments on their local municipalities which is funded through property taxes. In some cases, the increases have been in the double digits and have been devastating to municipalities and their local property taxpayers. Compounding the problem, state law caps how much counties can raise their taxes to pay for jail costs, and counties that reach this cap are forced to draw down their reserves until they are left with no reserves – a situation in which many counties now find themselves. Restoring the State’s share of county jail funding to approximately the 20% level seen earlier this decade is necessary to stabilize county jail financing. This additional state support relieves the growing burden of county jails on local property taxpayers, saves counties from having to deplete their reserves to finance their jails, and enables county jails to continue to fulfill their critical mission for the state’s criminal justice system.

County jails primarily serve the State of Maine. As detailed in the attached overview (*Attachment 1*) of the State’s criminal justice system, county jails primarily undertake actions that support the State of Maine but are funded mostly through the local property tax, which is not fair. To illustrate, county jails house individuals whose incarceration is driven by state criminal statutes. State law requires individuals who are pre-trial to be housed in county jails. State law further requires that individuals sentenced to less than 9 months be housed in county jails. State courts determine whether an individual is guilty and should go to jail. And the Commissioner of Corrections has established approximately 250 standards governing the operation of county jails.

County jails are the “emergency room” of the state’s criminal justice system. Under Maine’s criminal justice system, our state prisons are required to house individuals sentenced for more than 9 months. As a result, the population of the state prison system is relatively stable with many individuals residing in the state system for multiple years or decades. This means fewer expenditures related to intake and discharge, and lower medical costs as individuals incarcerated for many years are able to stabilize. By contrast, county jails have an average daily population of 1,500 residents, but over the course of the year, county jails conduct 30,000 admissions. That is orders of magnitude more than the state prison system, and the individuals admitted often present with substantial medical, mental health, and substance use disorder challenges. Approximately 75% of individuals housed in county jails are classified with a substance use disorder, and 60% are classified with a mental health disorder. Many residents are homeless. Some county jail inmates remain in custody despite court orders transferring them to state psychiatric facilities, due to a lack of available mental health beds. Over 90% of the population in county jails are pre-trial. They are there awaiting final disposition of their cases, some for over 100 days or more.

The increase in jail operating costs in recent years is primarily driven by personnel and healthcare costs, rather than simply an increase in average daily jail population. As far as the numbers are concerned, the total average daily population for county jails has risen 22% in the past five years -- 1,364 in 2021 to 1,660 in 2025. (*See LD 719 Report, p. 8*). Part of this increase reflects a reduction in arrests during the pandemic, which numbers have

¹ This figure is based on FY25 budget projections.

² This is an estimated figure based on a 4% increase from FY 25 operating costs.

³ This is an estimated figure based on a 4% increase from estimated FY 26 operating costs.

since rebounded. However, an even more important measure is the number of individuals processed by jails each year, which has risen 46% since 2021. This latter statistic is particularly important because a significant portion of jail resources are devoted to individuals who are brought to a facility, processed, screened, held, and released.

The County Corrections Professional Standards Council formally recommended supplemental state support for county jails. The FY27 recommendation reflects the Council's determination that the State's baseline funding for county jails—currently \$20,342,104—should increase to approximately \$28.3 million annually. LD 2232 implements this recommendation by increasing the State's annual contribution to the County Jail Operations Fund to \$28,342,104 beginning July 1, 2026.

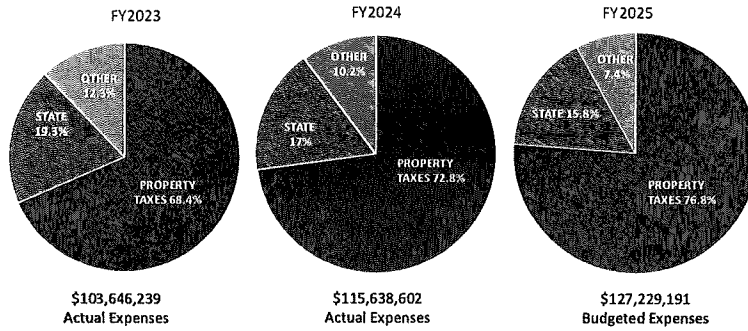
For background, as the Committee is aware, the County Corrections Professional Standards Council was established by the Maine Legislature in 2022. It is comprised of 7-members appointed by the Commissioner of Corrections: two members recommended by the Maine County Commissioners Association; two members recommended by the Maine Sheriffs Association; one member recommended by the Maine Municipal Association; and two members from the Department of Corrections. The Council meets twice per month and is tasked with three major responsibilities: (1) establishing formal rules governing jail financing standards; (2) advising the Commissioner of Corrections on jail standards; and (3) providing budget recommendations to the Governor for county jail operations.

The Standards Council's report issued pursuant to LD 719 documented that state support for county jail operations is projected to fall to approximately 14% of total costs in FY2026, even though county jails operate as an essential component of the State's criminal justice system. The Report further illustrates why county jail costs continue to rise, including steady increases in labor costs in line with the broader economy and more precipitous cost increases in medical costs, behavioral health and substance use disorder treatment costs, and compliance costs. These cost increases are at or below the increases experienced by the Department of Corrections for state prisons. The Council concluded that the State should work toward restoring its contribution to approximately 20% of county jail operating costs. LD 2232 represents an important step toward achieving that goal by creating a funding structure that grows with costs rather than remaining fixed while expenses continue to increase.

The Governor's original biennial budget in 2025 included \$4 million per year in additional funding for county jails, but FY27 funding was removed in the final Budget. By law, the State must fund county jails at a level of approximately \$20.4 million per year. *See* 34-A M.R.S. § 1210-E(2). In addition, state law allows the Legislature to fund county jails in excess of this amount. In this regard, the Governor's original biennial budget proposal in account Z227 proposed supplemental county jail funding in the amount of \$4 million per year of the biennium. However, during the Part I and Part II budget process, the \$4 million slated for FY27 was removed from the budget. As a result, the current state funding for county jails is the baseline \$20.4 million. Without a mechanism such as the one proposed in LD 2232, counties will continue to face increasing pressure to fund jail operations through local property taxes, despite the fact that the policies driving those costs—criminal law, sentencing decisions, court processes, and correctional standards—are largely established at the state level.

Maine's county jails are predominantly funded by local property taxes. Despite the central role county jails play in the State's criminal justice system, they are funded predominantly by county taxes collected through municipal property taxes. County jails represent about half of the operating costs of county government, and currently, less than 20% of those costs are funded by the State. In short, this means that county jails are a significant burden to already overburdened property taxpayers.

How County Jail Expenses are Paid



County Correctional Tax Caps Limit Local Flexibility. As detailed in the final Report of the County Corrections Professional Standards Council for LD 719, county jail funding is further constrained by statutory limits on local correctional assessments. Under 30-A M.R.S. §701(2-C), counties are required to collect a base assessment for correctional services and may increase that amount annually by no more than 4% or the growth limitation factor, whichever is greater. These limits were enacted to provide predictability in local taxation. However, when applied in combination with flat state funding and rapidly increasing personnel and medical costs, the 4% cap on local property tax support for jails constrains counties’ ability to respond to operational realities. The result is a structural imbalance: counties are responsible for operating facilities that implement state criminal justice policy and comply with Department of Corrections standards, yet their primary local revenue source for correctional services is capped. Increased state participation in the County Jail Operations Fund is necessary to prevent further strain on local property taxpayers, the continued depletion of county reserves, and the risk of structural deficits in county jail operations.

Addressing Immediate Funding Needs While Planning for Long-Term Efficiencies. Counties recognize and welcome the Legislature’s interest in longer-term discussions about efficiencies, regional collaboration, and broader reforms within Maine’s criminal justice system that may help address jail costs over time. Those conversations are important and counties stand ready to participate in them. However, counties are currently facing immediate financial pressures associated with operating their jails. Additional state support is therefore necessary in the near term to stabilize jail operations while the State and counties work together on longer-term strategies to improve the system.

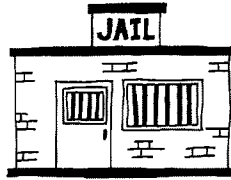
Conclusion. The recommendations reflected in LD 2232 are the product of extensive work by the County Corrections Professional Standards Council and represent a thoughtful and data-driven effort to create a more sustainable and predictable funding model for county jail operations. For these reasons, MCCA respectfully urges the Committee to vote Ought to Pass on LD 2232. Thank you for your consideration, and I would be happy to answer any questions.

Respectfully submitted,

Kevin Kelley
Co-Chair, Legislative Policy Committee, MCCA

Jean-Marie Caterina
Co-Chair, Legislative Policy Committee, MCCA

cc: Commissioner Andre Cushing, President, MCCA
James I. Cohen, Verrill Dana, LLP, Legislative counsel for MCCA



THE COST OF INCARCERATION IN COUNTY JAILS: A TIMELINE

