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DEPARTMENT OF CORRECTIONS
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04333-0111

RANDALL A. LIBERTY
COMMISSIONER

TESTIMONY OF

**RANDALL A. LIBERTY COMMISSIONER
DEPARTMENT OF CORRECTIONS**

In Support of

LD 546 An Act to Implement the Recommendations of the Maine Juvenile Justice System Assessment and Reinvestment Task Force

**Before the
Joint Standing Committee on Criminal Justice and Public Safety**

March 26, 2021

Senator Deschambault and Representative Warren and other distinguished members of the Criminal Justice and Public Safety Committee, I am Randall A. Liberty, Commissioner of the Maine Department of Corrections providing testimony in support of LD 546 with amendments.

As the committee is aware, MDOC has been an active partner in the work to improve services for juveniles involved with Maine's juvenile justice system. We see this bill as an extension of the multifaceted collaborative work that has been taking place the last two years to improve outcomes for justice involved youth. As this committee knows, the MDOC is currently fulfilling or working towards fulfilling most of what is outlined in the bill. We are committed to being an organization that is part of the solution, as is evident by our support of Representative Brennan's LD 1108 in the 129th legislature, our participation with the Maine Juvenile Justice System Assessment & Reinvestment Task Force, our close partnership with DHHS and the Children's Cabinet, and our collaboration with Mark Solar and the team from the Children's Center for Law and Policy.

Most recently, MDOC presented to this committee, to the Juvenile Justice Advisory Group (JJAG), members of the reinvestment task force, and other stakeholders the MDOC's division of juvenile services new action plan. This plan details the actions the department has and will implement to reduce secure confinement, to expand community-based programs and initiatives, to build meaningful cross-systems collaborations, and to implement recommendations of the Maine Juvenile Justice System Assessment and Reinvestment Task Force.

We are here today standing with the sponsor, with the advocates, and with all those interested in focusing their attention on reducing the use of secure confinement by increasing the use of community supports.

As the committee reviews the language in the bill, we ask for consideration of an amendment to streamline the reporting requirements outlined in the bill.

Sections 2, 4, and 5, require the MDOC to report out on a variety of overlapping topics, in slightly different ways. Respectfully, the MDOC proposes combining these into one section that requires the MDOC to, every 6 months, prepare and submit to this committee a comprehensive report on the division of juvenile services. This

report, as you'll see outlined in the proposed language below, would include all information requested in this bill.

Regarding section 1, the department is in support of repealing the noted subparagraph.

Regarding section 3, the department understands there is amended language forthcoming, so we will wait to see what that is.

Regarding section 6 the department is comfortable with the spirit, as we currently have contracts with 26 providers totaling more than 3.3 million. However, we believe the language in this section should be and streamlined and include a sunset provision.

Regarding section 8, the department does not support the funding allocation as we're able to use our current funds to reduce secure confinement, expand community-based programs and initiatives, build meaningful cross-systems collaborations, and to implement recommendations of the Maine Juvenile Justice System Assessment and Reinvestment Task Force, as outlined in the new division of juvenile services action plan details.

This concludes my testimony.

Thank you. I'm happy to answer questions.

Randall Liberty

Proposed amendment:

The DOC proposes the below amendment to replace sections 2, 4, and 5 of the bill.

Sec. 2. Every 6 months, beginning on January 15, 2022 and until July 15, 2024, the Department of Corrections shall prepare and submit to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters a comprehensive report on the division of juvenile services.

The report must include the following information in a concise and complete manner for the reporting period:

1. Description of juvenile facility and juvenile community corrections services within the Department of Corrections, including the following:
 - a. Established priorities, including goals and progress toward meeting goals
 - b. Benchmarks used to monitor progress toward goals
 - c. Narrative description on work and/or collaboration with:
 - i. The Department of Health and Human Services
 - ii. Community-based organizations specific to diversion of youth
 - iii. Community-based organizations specific to therapeutic services
 - iv. Community-based organizations specific to residential settings
 - v. Juvenile Justice Advisory Group
 - d. Narrative describing challenges and success toward implementation of proposed secure and/or staff secure community-based residences operated by or contracted by the department.
 - e. Narrative assessment describing successes and challenges with meeting said goals, especially the goals identified as recommendations through the Maine Juvenile Justice System Assessment.
2. Description of staffing levels, including:
 - a. Organization chart indicating lines of responsibility
 - b. Staffing levels at each facility
 - c. Staffing levels in each community corrections region



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- d. Number of vacancies and description of each vacancy at each facility and in each region
 - e. Narrative assessment describing successes and challenges of staffing, especially as related to the staffing recommendations identified through the Maine Juvenile Justice System Assessment.
3. Description of services specific by demographic, including:
 - a. Minority youth
 - b. Females
 - c. Youth from rural communities
 - d. LGBTQ youth
 - e. Narrative assessment describing successes and challenges of meeting goals associated with services for the afore-mentioned populations, especially recommendations identified for these groups in the Maine Juvenile Justice System Assessment.
 4. Contract details of each contract DOC's Division of Juvenile Services has with community-based agencies, including:
 - a. Awardee name
 - b. Description of services
 - c. Contract amount
 - d. Contract length
 - e. Goals associated with contract (i.e., youth served, outcomes, etc.)
 - f. Narrative assessment describing successes and challenges associated with services provided under the contracts, especially commenting on the implementation and impact of the recommendations related to contracts identified through the Maine Juvenile Justice System Assessment.
 5. Data, including the following:
 - a. Spread sheet with the following:
 - i. Average daily facility population
 - ii. Number of detained and committed youth (reported separately)
 - iii. Gender breakdown
 - iv. LGBTQ breakdown
 - v. Minority breakdown
 - vi. Rural breakdown
 - vii. Diversions to community services without detention or commitment
 - viii. Length of stay of detained youth
 - ix. Disposition of detained youth (e.g., not placed under supervision or in custody, placed on probation, 30 day or less confinement, indeterminate commitment, bound over to adult system)
 - x. Length of stay of committed youth
 - xi. Disposition of committed youth (e.g., community reintegration, release from facility at end of commitment, transfer to adult system)
 6. Financial summary, including sources of funding, amount, allocations, stipulations for use, other relevant fiscal information associated with the provision of services to youth, especially as it relates to the recommendations of the Maine Juvenile Justice System Assessment.

7. Identification of emerging issues the division of juvenile services anticipates between reporting periods.
8. Summary narrative outlining the successes and challenges to implement the recommendations of the Maine Juvenile Justice System Assessment, reduce secure confinement, expand community-based programs and initiatives, and cross-systems collaborations during reporting period.