

# As jails run in the red, Maine lawmakers look to reduce inmate populations

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By Scott Thistle Staff Writer

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AUGUSTA — Lawmakers are looking for new approaches to curb costs at the state’s 15 county jails, which continually run in the red despite \$95 million a year in county and state funding.

A range of proposals for reducing inmate populations and shortening time spent in the jails is under consideration by the Legislature’s Criminal Justice and Public Safety Committee, which met Tuesday with county administrators, sheriffs, mental health and homeless advocates, and others searching for ways to reduce costs and improve outcomes.

The proposals include reducing or eliminating bail amounts for “low and no risk” suspects and providing inmates nearing the ends of their sentences with a better chance at stable housing, health care and work before they are released.

Other options being studied by the committee include adjusting or removing a cap in state law that limits the amount county governments can raise from property taxes to pay for jails.

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Rep. Charlotte Warren, D-Hallowell, the House chairwoman of the committee, said a bill she’s sponsored that was held over from 2019 will be the likely main vehicle for proposed law changes.

“I don’t see a big dollar figure,” Warren said. “But I possibly see some shifting of costs.”

The Legislature and the last three governors have wrestled with the problem of what to do about funding county jails, which are under constant financial strain and increasingly housing a population of inmates with complex and overlapping issues that range from substance use disorders to homelessness.

Tuesday's meeting was the third in a series that is expected to wrap up in December with recommendations for legislation when the full Legislature returns to work in January.

Warren said 80 percent of jail costs are being borne by county property taxpayers, when sometimes those costs should be paid for by the state. State law requires anyone convicted of a crime and sentenced to more than nine months of incarceration to be put in the custody of the state's Department of Corrections, presumably so they can be housed in a state facility. Warren pointed out that probation violations and the sentences for certain other offenses often are kept just below the nine-month threshold, making the inmate's incarceration a county expense.

Former governors have wanted to do everything from forcing a merger of the county jails with the state's Department of Corrections to requiring counties to pay all their own costs if they refuse to merge. A state Board of Corrections created by Democratic Gov. John Baldacci to oversee the entire correctional system was largely dismantled by his successor, Republican Gov. Paul LePage.

Meanwhile, county sheriffs have returned to the Legislature year after year asking for financial help as jails respond to legal requirements to not only safely house inmates, but also to provide them with health care, including medications, counseling and educational programs.

Warren said the goal should be to get a long-term solution that works for all, saves money and produces better results – by making sure more inmates leave jail or prison to never return.

She said the idea of a “state sanctioned inmate” is key to the ongoing discussion about who ultimately pays or how those costs are shared. But the committee also is exploring a host of other solutions to rein in the escalating cost of incarceration for county governments.

While committee members said they don't want to increase property taxes, they do want to provide county commissions with more local control and flexibility about how they budget and raise funds for their jails.

Cullen Ryan, the executive director of Community Housing of Maine, told the committee Tuesday that one key to reducing recidivism for many who ricochet from jails to homeless shelters to hospitals to jails again is to better ensure stable housing with support programs for those being released at the end of a sentence.

Ryan said the combined public costs of shelter stays, emergency room visits and jail time is far greater than the cost of subsidies for housing that can build stability in a person's life, help them get access to regular health care and employment.

He said study after study, including those done in Maine, shows the same thing.

“Once folks get housed, that’s when they start to access primary care instead of emergency care, probably much like the folks in this room do,” Ryan said.

Over time, as their shelter and health care needs are stabilized, the overall public costs go down dramatically. “That person, hence, no longer touches jails, police, emergency rooms – all the expensive systems – anymore and they cost less,” Ryan said.

The committee is scheduled to meet again on Nov. 19 and two more times in December before it finishes its work and makes recommendations to the Legislature.

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