

**TESTIMONY before the Committee on Criminal Justice
and Public Safety
Regarding LD 973**

March 25, 2019

Senator Breen and Representative Warren, and distinguished members of the Committee Criminal Justice and Public Safety: My name is Travis Kennedy and I'm the Director of Public Affairs for Cumberland County government. I'm here to testify on behalf of the County in support of LD 973.

Cumberland County is supportive of the concepts laid out in the language submitted by Representative Warren; and we're glad to know that this bill will open up a broader dialogue about how we can work together to establish a jail funding relationship between the state and counties that is predictable, sustainable and fair to all parties.

We want to thank Representative Warren for working with the Sheriffs to bring this matter before the committee today.

I won't use this time to recap the history of the Board of Corrections, and its goals and failings. I'm sure that others testifying here today will be happy to do so, and it's a story that you've heard by now. But the result of that failed experiment is the situation that we find ourselves in now. The method by which jails are paid for is fundamentally broken, causing an annual structural gap in most Maine, counties; and every year we repeat the process of working with this committee to close it.

I'm sure I speak for everyone in this room when I say it's an annual circumstance that none of us want to be in. Nobody at the state house is exactly happy to see us coming during budget season, and we all cringe as we dust off the spreadsheets and talking points that we've been using one version of or another for the past several years while the situation continues to slowly get worse. All the while, sheriffs and county administrators are holding our jail budgets together with spit and glue while costs keep going up.

Earlier this year I reported to this committee and the Appropriations committee that our 2019 jail budget saw a modest increase over the past year of only 2.49 percent, an especially low number that we're proud of considering the constantly rising costs of healthcare and labor in a

competitive market, to name just a few challenges. To fund this budget, in part, we did increase the municipal contribution toward the jail at the full four percent allowable under law. We cannot ask the towns for more.

You'll likely hear versions of this report from most of my colleagues around the state today. The circumstances in some counties are far more dire, but the spirit will be the same: we ask our towns for what we can, and after that we figure it out. And then we start over, heading into next year's budget staring at the same gaps, the same uncertainty and the growing list of capital needs and aging equipment that will need to be addressed eventually.

But LD 973 offers an opportunity to break this cycle and establish a permanent process that understands the needs of the jails and the circumstances by which they're funded. We can create a plan by which the legislature and counties are generally able to anticipate a balanced budget, make long term capital plans, and direct our collaborative policy work with this committee on forward-thinking ideas to improve corrections outcomes instead of having this same conversation about structural gaps over and over.

I'm sure the language isn't absolutely perfect; this work will take time, and probably require some adjustments.

Fortunately, the governor has proposed a funding level for FY2020/21 that in Cumberland county, at least, is sufficient for the next year. We should take our time, and get this right. Cumberland county stands ready to help however we can.

Thank you for taking the time to hear from us today, and for opening the door to this important work.