

We are requesting the presence of a representative of the Department of Corrections at a work session for **LD 390 this Wednesday (May 24th) at 4:00 pm.**

Attachment A

Questions for the Department of Corrections May 22, 2017 Regarding the Closure of the Down East Correctional

- ✓ Have prisoners been released pursuant to the closure and do you anticipate releases within the next two days?
 - **No, prisoners have not been released pursuant to closure as of May 23, 2017.**
- ✓ Without the facility how many minimum security beds remain in the Department of Corrections system?
 - **427 minimum security beds for males (BCF and MVCF-Minimum).**
- ✓ How many beds are currently available in state prisons?
 - **Approximately 65 general population beds are currently available for male prisoners.**
- ✓ What will happen to prisoners currently housed at the Downeast Correctional Facility?
 - **They will receive conditional commutations or will be relocated to other MDOC facilities.**
- ✓ Are there plans to release prisoners currently housed in other facilities to make room for transfers from Downeast?
 - **A number of identified prisoners at each of the minimum security facilities may be granted conditional commutations and released to community supervision.**
- ✓ Will the sentences of current prisoners at Downeast be commuted?
 - **A number of identified prisoners at each of the minimum security facilities may be granted conditional commutations and released to community supervision.**
- ✓ Would such commutations be conditional?
 - **Yes, they will be conditional commutations.**
- ✓ Who would enforce the conditions?
 - **The offenders will be supervised by Adult Community Corrections officers, under conditions identified in the conditional commutation paperwork.**
- ✓ What are the anticipated terms of release?
 - **The following are the conditions of the conditional commutation:**
 - **Refrain from all criminal conduct;**
 - **Report to the assigned Probation Office within 24 hours of your release from incarceration;**
 - **Actively pursue and maintain approved employment, or devote yourself to an approved employment or education program;**
 - **Not possess or use any unlawful drugs, alcohol, firearm or dangerous weapon;**
 - **Identify your supervised status to any law enforcement officer, if you are arrested, detained or questioned for any reason and notify your probation officer of that contact within 24 hours;**
 - **Submit to random search and testing of residence, motor vehicle or person for drugs, alcohol, firearms or dangerous weapons;**
 - **Complete evaluation, counseling and treatment for substance abuse, as directed by your probation officer;**
 - **Abide by a curfew from 8:00 pm to 6:00 am, except for employment purposes with permission from your probation officer;**
 - **Waive extradition to the State of Maine from any State of the United States, the District of Columbia or any other jurisdiction to answer any charges of violating one or more of the conditions contained in (1) through (8) above; and**
 - **Agree to abide by each of the foregoing conditions contained in (1) through (9) above;**

- ✓ What would happen to those who violate the terms?
 - **If the said offender violates one or more of the conditions of the conditional commutation at any point during the supervision period he is subject to arrest and detention in a Department of Correction's facility pending a hearing before the State's Parole Board. Following that hearing the matter must be submitted to the Governor for a final decision. If the Governor voids the commutation, the said offender will serve that portion of his term of imprisonment remaining to be served.**
- ✓ If violators would be re-incarcerated, would there be sufficient capacity to house them?
 - ✓ **The Department's bed space fluctuates on a day-to-day basis, and depending on the number of violators at a given time, there may or may not be sufficient capacity to house them.**
- ✓ What would be the terms of release?
 - **Repeat question – see above conditions.**
- ✓ A letter from Chief Deputy General Linda Pistner, dated April 27, 2017 may be found in Appendix B. In the letter, Ms. Pistner indicates that the Governor does not have the authority to unilaterally end the program at Downeast that is set in statute. How does the Administration view its authority to, effectively, close the facility?
 - **This would be a question for the Governor's Office.**

Regarding a Potential Prerelease Center:

- ✓ At the time borrowing was authorized for repairs and improvements to the facility at Windham, borrowing was also authorized for a prerelease center in Washington County.
 - **PL 472 was enacted April 14, 2016 authorizing the borrowing. The language is as follows: Notwithstanding any limitation on the amount of securities that may be issued pursuant to section 1606, subsection 2, as limited by section 1610-A, the authority may issue additional securities in an amount not to exceed \$149,700,000 outstanding at any one time to pay for capital construction, repairs and improvements to the Maine Correctional Center in South Windham and a facility owned by the Department of Corrections in Washington County.**
- ✓ What is the administration's intent regarding that facility?
 - **The intent is to have a facility in Washington County, however the Department is focusing on the Windham project and once it begins, it will focus its attention on Washington County.**

Regarding the Long Creek Youth Development Center:

- ✓ The proposed Biennial Budget contains a proposal to eliminate teaching positions at Long Creek but there are now indications that the school will be closed entirely. Is this true?
 - **No. There is no plan to close the school entirely.**
- ✓ What is the alternative plan for educating the school aged residents.
 - **There is no alternative plan.**
- ✓ What is the estimated cost of the alternative plan?
 - **See previous answer.**
- ✓ The letter requesting several pieces of information regarding Long Creek was submitted by Senator Cathy Breen on April 6, 2017. The information has not yet been provided but is re-requested for Wednesday's work session. The letter can be found in Attachment C.
 - **See comments below**

Attachment B

Letter from Senator Cathy Breen Dated April 6, 2017

- ✓ A complete census of the resident population at Long Creek Youth Development Center as of March 29, 2017, the date of Commissioner Hasson's visit to Long Creek and the Criminal Justice and Public Safety Committee report back to the Appropriations and Financial Affairs Committee. The census should redact the names of the residents, but include information for each individual resident including, but not limited

to: age, gender, identity, detained or committed population, and educational program services (e.g. High School, Hi-Set [GED], Vocational, Post-High School, Detained [High School, Hi-Set, Post High School]. et.) received at Long Creek.

- **Please see attached census report for Long Creek on March 29, 2017**
- **Commissioner Hasson visited Long Creek on March 29, 2017**
- ✓ A copy of the census report for Long Creek produced by the Department of Corrections in July 2107.
 - **The Department of Corrections has not produce a census report in July of 2017.**
- ✓ A copy of the current paperwork between the Maine Department of Corrections Long Creek and the Maine Department of Education regarding current accreditation and who signed as Superintendent of schools for Long Creek.
 - **Please see attached paperwork**
 - **Jeff Merrill was signed on as Superintendent**

LCYDC Census Report

DOC	still in facility	DOB	AGE	GENDER	POST GRADUATE SOLO	SPED	High school HISET Student	VOCATIONAL	COLLEGE COURSES	RAFT
128792748	x	1/1/1999	18	M		2/2/2017	X			
121062457	x	2/3/1999	18	M		1/13/2017	X			
124244461	x	5/18/1999	18	M		11/21/2016	X			
103356785	x	4/27/1998	19	M		7/14/2016	X			
121974644	x	5/26/1999	18	M		9/26/2016	X	x		
115986576	x	11/12/1998	19	M		3/23/2017	X			
120882007	x	10/27/1999	18	M		8/11/2016	X			
117985458	x	9/21/1998	19	M		3/20/2017	X	x		
125972633	x	7/18/2001	16	M		10/13/2016	X			
100999280	x	8/12/1999	18	M		4/6/2017	X			
121791395	x	3/27/2000	17	F		12/8/2016	X			
120332980	x	12/17/1998	19	M		1/12/2017	X			
128060371	x	12/25/1999	18	M		10/17/2016	X			
124334272	x	1/16/2000	17	F		12/22/2016	X			
120245563	x	5/18/1999	18	M		6/10/2016	X	x		
109714312	x	10/13/1999	18	M		11/16/2016	X			
122424120	x	12/15/1999	18	M		11/17/2016	X			
104350492	x	11/9/1999	18	F		5/26/2016	X			
108083107	x	3/19/1998	19	M	X	8/4/2016				
120798759	x	10/15/1999	18	M		6/3/2016	X			
102625642		4/4/1999	18	M		11/18/2016	X			
108083125	x	1/8/1999	18	F		4/14/2016	X			
114989060	x	2/16/1999	18	M		3/24/2017	X			
126518032	x	8/9/1999	18	M		2/10/2017	X			
102178180	x	8/26/1998	19	M	X	9/8/2016				
109626482	x	2/28/1999	18	M		2/6/2017	X			
130138651	x	9/30/1998	19	M		7/25/2016	X		x	
123884859	x	5/4/2001	16	M		10/28/2016	X			
109809876	xx	9/18/1999	18	M		12/2/2016	X			
127516411	x	8/6/2002	15	M		2/17/2017	X			
100172827		8/12/1999	18	F		3/29/2017	X			
106801255	x	10/27/1997	20	M		12/16/2016	X			
118981523	x	9/24/2000	17	M		2/3/2017	X			

LCYDC Census Report

DOC	still in facility	DOB	AGE	GENDER	POST GRADUATE SOLO	SPED	High school HISET Student	VOCATIONAL	COLLEGE COURSES	RAFT
123972400	x	7/30/2001	16	M		7/15/2016	X			
125796477	x	1/26/2001	16	M		4/3/2017	X			
121429621	x	8/28/2000	17	M		10/20/2016	X			
114985901	x	8/6/1999	18	M		3/15/2017	X			
117891092	x	7/25/1999	18	M	X	11/10/2016				
130024130	x	1/1/2001	16	M		9/16/2016	X			
121249126	x	9/19/2000	17	F		6/9/2016	X			
	x									
Graduates	x									
115224	x	9/10/1998	19	M	X			x		
129302		5/18/2000	17	M			X	x	x	
128113	x	4/3/2002	15	M			X	x		
126820	x	1/13/2001	16	M			X			
152735	x	8/22/2001	16	M			X			
124612		3/30/1999	18	M			X			
124490	x	10/10/1999	18	F			X		x	
152212	x	3/26/2000	17	F			X		x	
150708	x	11/10/1999	18	M				X		
153092	xx	7/19/2002	15	F			X			
118928	x	11/18/2000	17	M			X			
121967		9/11/1998	19	F			X			
127489	x	11/24/1998	19	F			X			
129501	x	7/31/2000	17	M			X			
128469	x	6/22/1997	20	M	X			x	x	
153384	x	9/30/1998	19	M	X				x	
119974	xx	12/19/1998	19	M	X				x	
118224	x	9/1/1996	20	M	X					
121309	x	5/31/1998	19	M	X					
128756	x	3/26/1999	18	M	X					
97692	x	10/1/1997	20	M	X					
92944	x	6/1/1998	19	M	X					
112769	xx	7/5/2000	17	M	X					
116184	x	8/20/1997	20	M	X			x		
116053	x	3/21/1997	20	M	X					
154086	x	3/26/1998	19	M	X			x	x	
150376	x	6/28/1997	20	M	X				x	
123905	xx	10/20/1998	19	F			x			
	Detained									
156589	x	12/3/1998	19	M					x	

LCYDC Census Report

DOC	still in facility	DOB	AGE	GENDER	POST GRADUATE SOLO	SPED	High school	HISET Student	VOCATIONAL	COLLEGE COURSES	RAFT
153866	x	5/30/1999	18	M							
150236	xx	5/21/2000	17	M							
151098	x	10/26/1999	18	M							
156094	x	4/9/1999	18	M							
154416	x	8/25/1999	18	M							
156307	xx	4/28/1999	18	M							
155074	x	11/14/2000	17	M							
121707		2/7/2000	17	M							
121328		7/27/1999	18	M							
128223	x	9/11/2001	16	M							
155918	xx	7/5/2000	17	M							
155785	x	12/22/2003	14	M							
151130		11/3/1999	18	M							
124164	x	11/13/2000	17	M							
153502	x	3/11/2001	16	M							
156465	x	1/5/2000	17	M							
151347	x	1/10/2000	17	M							
118693	xx	6/20/2000	17	M							
150553	x	4/17/2001	16	M							
150385	x	12/31/1999	18	M							
	x										
153856	x	6/1/2000	17	F							
112216	x	3/8/1999	18	F							
153737	x	1/13/2001	16	F							
122541	x	10/3/1999	18	F							
157521	x	3/14/1999	18	F							
155593	x	4/10/2002	15	F							
152413	x	11/10/1999	18	F							
											RAFT
115435		7/9/1998	19	F							RAFT
157067		8/5/2005	13	m							RAFT
107780		2/9/1998	19	m							RAFT
121289		11/16/1999	18	m							RAFT
118546		10/1/1996	20	m							RAFT
117919		7/6/1996	20	f							RAFT
151210		7/26/1997	19	f							Raft
153197		1/11/2002	15	f							raft

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