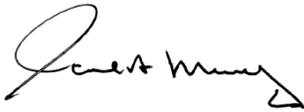


<p>POLICY TITLE: DEVELOPING, IMPLEMENTING, MAINTAINING AND REVISING MAINE BOARD OF CORRECTIONS UNIFORM POLICIES AND PROCEDURES</p> <p>POLICY NUMBER: 1.0</p> <p>CHAPTER 1: ADMINISTRATION, ORGANIZATION, AND MANAGEMENT</p>		<p>PAGE 1 of 4</p>
 <p>State of Maine Board of Corrections</p> <p>Approved by Chair:</p> 		<p>PROFESSIONAL STANDARDS:</p>
<p>EFFECTIVE DATE: May 20, 2014</p>	<p>LATEST REVISION: May 20, 2014</p>	<p>CHECK ONLY IF APA []</p>

I. AUTHORITY

The State Board of Corrections (SBOC) adopts this policy pursuant to the authority contained in 34-A MRS §1801.

II. APPLICABILITY

This policy applies to all policies of the SBOC and to the corresponding policies of all the jail facilities within the coordinated correctional system of Maine. This policy replaces the previous version effective on November 19, 2009.

III. POLICY

By adopting a process for the creation and implementation of policies applicable to the coordinated correctional system, the SBOC is establishing the framework for uniform and comprehensive professional practices for the management and operations of all jail facilities within the system.

Upon adoption of a SBOC policy, all jail facilities within the coordinated correctional system to which it applies shall develop, implement, maintain, and report facility-specific policies addressing the policy requirement(s) of the SBOC policy, including operational, administrative, fiscal, and management requirements. The facility-specific policies should expand upon or further delineate the SBOC policy requirements, as necessary.

IV. CONTENTS

Procedure A: Format of Board of Corrections Policies

Procedure B: Development and Revision of Board of Corrections Policies

Procedure C: Agency Rules under the Administrative Procedures Act

Procedure D: Facility Implementation and Certification of Policies

V. PROCEDURES

Procedure A: Format of Board of Corrections Policies

1. All policies of the SBOC will be written in the format outlined in Attachment #1, *Board of Corrections Policy Format*.
2. All policies of the SBOC shall be issued under the signature of the chair of the SBOC and implemented under the direction of the executive director of the SBOC.
 - a. Each policy issued shall include an effective date.
 - b. The executive director may request the assistance of the Corrections Working Group and/or applicable Focus Group in directing the policy implementation.

Procedure B: Development and Revision of Board of Corrections Policies

1. The Corrections Working Group may initiate the development, review or revision of a SBOC policy. All other requests for the development, review, or revision of a SBOC policy must be submitted to the executive director. The executive director will also review annually all existing SBOC policies.
 - a. The executive director will report to the Corrections Working Group on a monthly basis regarding any proposed policy requests or suggestions, including any revisions necessary as part of the annual review process.
2. Upon determination by the Corrections Working Group that a current policy needs revision or a new policy needs development, the Corrections Working Group shall assign the policy task to the appropriate focus group of the SBOC (if applicable). The focus group will work in coordination with the executive director regarding the policy development or revision.
 - a. When assigning a policy, the Corrections Working Group will also include a timeline and deadline for development or revision.
 - b. Policy development or revision not relevant to a particular focus group will be assigned to the executive director for development, review, and revision.
 - c. The Corrections Working Group will monitor the process of development or revision, and will assist as necessary.

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
1.0 DEVELOPING, IMPLEMENTING, MAINTAINING AND REVISING POLICIES AND PROCEDURES	1 - ADMINISTRATION, ORGANIZATION, AND MANAGEMENT	Page 2 of 4

3. The development or revision of a SBOC policy shall include, but is not limited to, the following processes:
 - a. Review of existing (and applicable) policies, including:
 - i. SBOC policies,
 - ii. Department of Corrections policies, and
 - iii. Jail facilities policies;
 - b. Review of any applicable jail standards;
 - c. Review of relevant local, state, and federal laws; and
 - d. Review of national standards and best practices.

4. The focus group or executive director will draft the new or revised policy and distribute for review and comment to the following:
 - a. Jail administrators,
 - b. Relevant state, county, and/or local agencies, as necessary,
 - c. SBOC legal counsel (who is also requested to review applicability of the Administrative Procedures Act), and
 - d. Department of Corrections administrators for determination of compliance with jail standards;

5. Upon receipt of comments and/or suggestions, the focus group or executive director shall submit the proposed policy, in writing, to the Corrections Working Group for review and consideration.
 - a. The focus group or executive director will present the policy to the Corrections Work Group at its next scheduled meeting;

6. The Corrections Working Group will review the proposed policies and determine whether to:
 - a. Submit and present the proposed policy to the SBOC at its next scheduled meeting for consideration of adoption;
 - b. Request the focus group or executive director further revise the policy based upon suggestions of the Corrections Working Group;

7. Upon submission and presentation of a proposed policy to the SBOC, the SBOC will act on the proposal by a vote supported by a majority of the SBOC members present. The SBOC may take one of the following actions:
 - a. Adopt the policy as submitted;
 - b. Adopt the policy with specific revisions by the Board;
 - c. Reject the policy as submitted; or
 - d. Table the policy as submitted for further action which may include directing the Corrections Working Group, focus group or executive director further revise the policy based upon suggestions from the Board.

8. The SBOC's decision to adopt a policy will include an established effective date.
 - a. The designated effective date shall be set in accordance with the amount of time necessary for applicable correctional facilities to become compliant with the policy requirements.

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
1.0 DEVELOPING, IMPLEMENTING, MAINTAINING AND REVISING POLICIES AND PROCEDURES	1 - ADMINISTRATION, ORGANIZATION, AND MANAGEMENT	Page 3 of 4

Procedure C: Agency Rules under the Administrative Procedures Act

1. An SBOC policy shall be adopted in accordance with the rulemaking provisions of the Maine Administrative Procedures Act (MAPA) when:
 - a. Specifically required by statute;
 - b. As determined by SBOC legal counsel; and/or
 - c. The SBOC requires it.
2. Upon the determination to adopt a proposed policy in accordance with MAPA, the Corrections Working Group and executive director will collaborate to comply with the requirements of the Act in developing the policy or rule(s).
 - a. The SBOC may assign one or more focus groups to assist in this process.
3. When the policy or rule(s) are to be adopted in accordance with MAPA, the Corrections Working Group will submit and present the proposed policy or rule(s) to the SBOC for consideration.
 - a. The procedures in Procedure B, sections 7 and 8 will apply to adoption decisions.

Procedure D: Facility Implementation and Certification of Policies

1. Upon adoption of a policy by the SBOC, the executive director shall transmit the policy, any supporting documentation, and the effective date to all applicable county and jail administrators for implementation.
2. The administrator(s) responsible for a correctional facility required to comply with the SBOC policy shall certify to the executive director the adoption and continued compliance with the policy requirements (see Attachment #2, *Policy Certification Form*).
 - a. Certification of adoption and compliance with a new SBOC policy must be received within thirty (30) days of the policy’s effective date;
 - b. Certification of annual compliance with all applicable SBOC policies must be received by January 31st of each year.
3. The executive director shall report to the SBOC at its next scheduled meeting any jail facilities failing to certify their adoption and compliance with a SBOC policy.

VI. ATTACHMENTS

Attachment 1: Board of Corrections Policy Format

Attachment 2: Policy Certification Form

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
1.0 DEVELOPING, IMPLEMENTING, MAINTAINING AND REVISING POLICIES AND PROCEDURES	1 - ADMINISTRATION, ORGANIZATION, AND MANAGEMENT	Page 4 of 4