

**Corrections Working Group
Memorandum of Understanding**

This Memorandum of Understanding (MOU) is entered into by the Commissioner of the Maine Department of Corrections, the President of the Maine County Commissioners Association and the President of the Maine Sheriffs' Association.

I. Background

On April 18, 2008, the Governor signed into law LD 2080, "An Act to Better Coordinate and Reduce the Cost of the Delivery of State and County Correctional Services." The Act created the new State Board of Corrections. As provided in the law, the purpose of the Board is "to develop and implement a unified correctional system that demonstrates sound fiscal management, achieves efficiencies, reduces recidivism and ensures the safety and security of correctional staff, inmates, volunteers and surrounding communities."

To help the Board achieve its goals, a corrections working group was also established. The statute requires the Commissioner of the Maine Department of Corrections, the President of the Maine County Commissioners Association and the President of the Maine Sheriffs' Association to enter into a Memorandum of Understanding, for approval by the Board, regarding the work of the corrections working group.

II. Statement of Purpose

The purpose of the MOU is to establish an informal corrections working group as envisioned by 34-A MRSA § 1804. The MOU will outline the responsibilities of the parties and will provide a framework for a positive and cooperative working relationship between them. Nothing in the MOU modifies in any way the ability and responsibility of the parties to enforce their respective statutes and regulations.

III. Composition and Meetings

The working group will consist of representatives of the Department of Corrections, sheriffs, county commissioners and others as outlined herein.

The Commissioner of the Department of Corrections, the President of the Maine County Commissioners Association, and the President of the Maine Sheriffs' Association shall name 2 co-chairs to convene and lead the working group. One chair must represent the department and one chair must represent county government.

The co-chairs shall select the remaining members of the working group. The remaining members should have experience in any of the following areas: corrections; law enforcement; state, county or municipal government; or, other areas deemed by the co-chairs to be important to the work of the Board of Corrections.

The working group shall meet as needed and as requested by either one or both co-chairs. Meetings of the working group shall be conducted at such venues as shall be determined by the

co-chairs in consultation with the members of the working group. The meetings shall be open to the public.

IV. Duties

The working group shall advise and assist the Board in the ongoing improvement of the unified correctional system. The working group may assist the Board by:

- A. Recommending agenda items for the chair of the Board's consideration;
- B. Compiling and analyzing information at the request of the Board on issues or topics of interest to the Board;
- C. Organizing presentations on issues or topics of interest to the Board;
- D. Identifying opportunities for cost-saving agreements and efficiencies for the corrections system;
- E. Recommending a plan for individual correctional facility and county jail use, including the reassignment of services and/or the downsizing, closing or development of new facilities;
- F. Drafting rules or program standards for review and adoption by the Board; and
- G. Monitoring issues that impact the broader criminal justice system and where appropriate making recommendations to the Board.

In carrying out its duties, the working group may consult with experts and stakeholders, including but not limited to prosecutors, defense attorneys, judges, victim advocates, providers and advocates for persons with mental illness and other interested parties.

The working group may form subcommittees, as needed, to focus on issues including but not limited to the budget process, pre-trial issues, collective purchasing and transportation. The subcommittees will report their recommendations to the full working group for review and presentation to the Board.

The working group shall strive to reach consensus on the recommendations that are presented to the Board for its consideration. If consensus cannot be reached, the working group shall present those recommendations that are supported by the majority of the working group as well as other recommendations supported by the minority members of the working group.

The working group shall facilitate and engage in regular information sharing including among the parties to this agreement.

The working group shall discuss and resolve any issues or problems experienced by or between the parties to this agreement, including but not limited to the daily operation of the unified correctional system including the placement of inmates. If the working group is unable to resolve the issue between the parties to the MOU, the Board shall meet to review and resolve the issue.

V. Staffing and Reporting Requirements

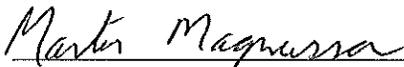
The Department of Corrections shall provide administrative support for the working group. The counties may provide support services as resources allow.

The working group shall report to the Board at each full meeting of the Board of Corrections and as requested.

VI. Term and Amendments

This agreement will be in effect beginning upon full execution by the parties and approval by the Board of Corrections.

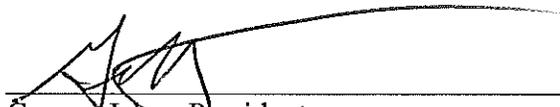
This agreement may be modified or amended by mutual written agreement of the parties and approval by the Board of Corrections.



Martin Magnusson, Commissioner
Department of Corrections

10/02/08

Date



George Jabar, President
Maine County Commissioners Association

10/02/08

Date



Todd Brackett, President
Maine Sheriffs' Association

10/2/08

Date

Approved by the Board of Corrections on this 2nd day of October, 2008.



Neale Duffett, Chair
Board of Corrections