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# Targeted Interventions Could Ease Maine's Prison and Jail Populations

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# Research & Policy Brief

February 2008

## Targeted Interventions Could Ease Maine's Prison and Jail Populations

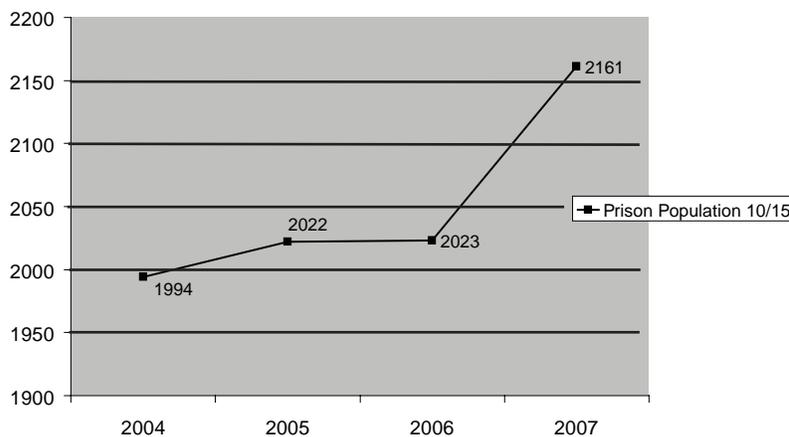
### Overview

Overcrowding and rising costs in Maine's corrections system have become a serious problem. In the past twenty years, the average daily population in state prisons has grown 74 percent, while county jails have grown 193 percent. To accommodate this growth, Maine, in 2004, spent \$127,343,971, not including debt service, to operate the prisons and county jails.<sup>i</sup> This brief examines state prison, county jail, and probation population trends since 2004 and identifies key factors driving the number of prisoners.

### Growing state prison population

In October 2007, Maine housed 2,161 inmates in state prisons,<sup>ii</sup> an increase of eight percent since 2004. While Maine's prison system currently houses more than 300 prisoners, over intended capacity, the state still had the lowest number of state prison inmates per 100,000 residents in the nation (151) as of June 2006.<sup>iii</sup>

Figure 1. Prison Population on October 15



Since 2004, the increase in prison population appears to be driven primarily by prisoners receiving a sentence for a new crime, rather than prisoners being sent back to prison for a probation revocation. Those who are returned to prison on a probation violation are said to have had their probation revoked, either partially, meaning they will be released back onto probation, or fully revoked, where they are to serve the remainder of their probation in prison. One quarter of the inmates in Maine's prisons are serving a partial or fully revoked probation, down from 30 percent in 2004.

### Fast Facts

- Maine's state prison system is currently over capacity by 300 inmates.
- Crowding notwithstanding, Maine has the lowest number of state prison inmates per 100,000 residents in the nation (151) as of December 2006.
- The overwhelming majority (98%) of state inmates will return to the community.

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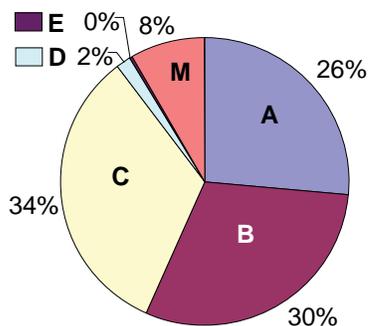
### Maine Crime & Justice Brief Series

Produced by the Maine Justice Policy Center (MJPC), the series charts changes in crime, arrests and incarceration to present a portrait of crime and justice indicators in the state. The briefs include the most recent comprehensive data sets available for Maine.



Nearly two-thirds of inmates were sentenced to state prison for a Class B or C crime. Class A through C crimes are felonies, while D and E class crimes are misdemeanors. Murder is a felony crime, but is designated separately by the state. Overall, eight percent of inmates in the state prisons have been convicted of murder, while only two percent are in prison for a misdemeanor offense (class D & E).

**Figure 2. Class of Crime in Prison (10/15/07)**



**The overwhelming majority of inmates will be released back into the community following their sentence**

Maine’s state prison inmates serve an average of 7.2 years. Other than the 42 inmates in prison for life, the remainder (98%) will return to the community. In addition, nearly two-thirds of the prison population have, on average, a sentence of three years or less.

**Figure 3. Average Sentence Length by Crime Class (10/15/07)**

Crime Class	Frequency	Percent	Average sentence length
A	568	26.3	9.3 years
B	652	30.2	3.0 years
C	711	32.9	2.1 years
D	38	1.8	1.3 years
E	4	.2	N/A
Murder	182	8.4	45 years (141 inmates ) Life (42 inmates)
Other	6	.2	N/A
Total	2161	100.0	7.2 years

**The population of adult inmates in Maine’s county jails has also increased significantly since 2004**

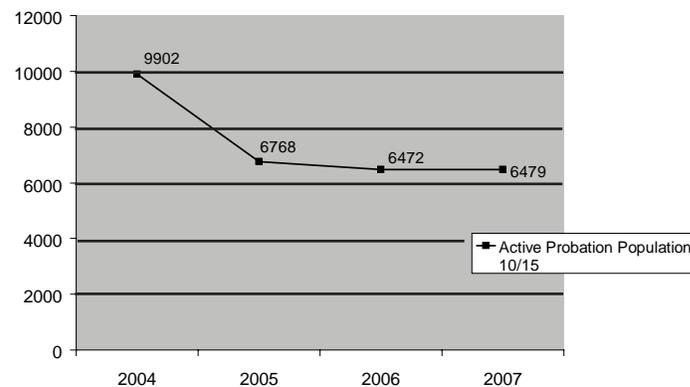
The average inmate population in county jails has increased dramatically in Maine since 2004. In October 2007, the total daily in-house population in county jails averaged 1,838 inmates, more than 23 percent over the average in 2004. Dating back to 1997, in-house population in jails has increased 89 percent.<sup>iv</sup>

Three factors have contributed to the increase in county jail populations: the increase in the numbers of pre-trial offenders held in county jails; the increase in the number of individuals re-incarcerated for violating the terms of their probation; and a modest increase in the sentenced population. Since 2004, the number of pre-trial inmates has increased 21 percent and now represents more than 60 percent of the inmates in the county jails. Just ten years ago, the pre-trial population accounted for less than 50 percent of all jail inmates.

**Probation numbers declined significantly in 2005 as a result of policy change**

Between 2004 and 2005, the number of probationers actively supervised by the Maine Department of Corrections declined 32 percent. The decline was the result of a policy change that eliminated the use of probation for low risk misdemeanor (Class D and E) offenders.<sup>v</sup> Since 2005, probation caseloads have continued to decline, falling another four percent to 6,479 on October 15, 2007.

**Figure 4. Active Probation Population on October 15**



## Implications

The increase of county jail and prison populations places enormous social and fiscal costs on Maine's communities. The data point to a number of possible interventions. Most of the increases in county jail populations are due to pre-trial defendants, many of whom are in jail because they can't meet bail costs. Efforts at streamlining pre-trial processes, including bail reform, could significantly reduce county jail populations. In addition, improving efforts at reintegrating offenders back into the community once they are released from prison or jail may help reduce reoffense rates, and contribute to lowering corrections populations over the long term.

The increases in state prison and county jail populations are not solely the result of the recent increase in the overall crime rate. Certain crimes have increased in Maine in the last four years, many involving drugs and alcohol, but much of the increase can be attributed to how offender populations are managed through probation supervision and through the pre-trial, bail process. Lowering the overall corrections population therefore requires additional strategies that can provide offender accountability through alternative sentencing mechanisms (such as Drug Court), and can minimize the length of stay of pre-trial inmates.

### Maine Justice Policy Center

The Maine Justice Policy Center (MJPC) informs policy development and improvement of practice in Maine's criminal and juvenile justice systems. A partnership between the USM Muskie School of Public Service and the Maine Department of Corrections, MJPC collaborates with numerous community-based and governmental agencies. MJPC conducts applied research, evaluates programs and new initiatives, and provides technical assistance, consultation and organizational development services. MJPC programs include the state statistical analysis center, funded by the Federal Bureau of Justice Statistics and guided by a statewide advisory group.

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## Endnotes

<sup>i</sup> Interim Report of the Corrections Alternative Advisory Committee: <http://www.maine.gov/corrections/caac/reports/InterimReport.pdf>, January 2006

<sup>ii</sup> Rubin, M., Presentation at Maine Sentencing Summit; Analysis of Sentences and Probation Conditions of MDOC clients 2004-2007, presented on October 30, 2007

<sup>iii</sup> Sabol, WJ., and Couture, H., & Harrison, P.M., (2007 December). Prisoners in 2006. (JCJ 219416). Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.

<sup>iv</sup> Maine Department of Corrections data, October 2007

<sup>v</sup> See the Commission to Improve the Sentencing, Supervision, Management and Incarceration of Prisoners: Part 1: Immediate Needs, State of Maine 121st Legislature Second Regular Session, January 2004

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Maine Justice Policy Center  
<http://muskie.usm.maine.edu/justiceresearch>

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