

Board of Visitors Annual Report

Franklin County Detention Center
Farmington, Maine
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Introduction

Franklin County Jail Board of Visitors is an oversight and advisory committee of citizens identified by the Sheriff to represent the interests of the people in Franklin County. It is mandated by law (Chapter 13, Title 30-A, 1607) The Board of Visitors (BOV) are chosen for their varied orientations, interests and expertise in the field of corrections and rehabilitation issues. The BOV focus in this capacity will be regarding public safety and security, jail staff safety, as well as inmate health and safety.

-from FCDC Policies and Procedures Manual 10/17

As noted by the MDOC, the mission of corrections is to reduce recidivism while holding the offender accountable. The ultimate goal is to rehabilitate, ensuring that the inmate is able to maintain themselves upon release as part of the outside community. Priority must be given to inmate and staff safety in order to accomplish these goals.

“The goal of the Franklin County Detention Center is to provide a safe, sanitary and secure place of detention for all persons committed to this jurisdiction for detention or correction.”

-from the [Inmate Handbook, Rules and Regulations](#), retrieved online on May 27, 2020

In looking at the words “detention or correction” it is important to consider the humane and respectful treatment of all inmates as core values. Basic needs and services consistent with a physically and emotionally healthy environment should be considered essential during their tenure at the Center. Beyond the standard custodial “clean and safe” considerations we suggest that there are deeper needs to embrace that contribute to the fulfilment of the mission of the FCDC. The concept of “punishment” should not go beyond what the courts have delivered as a sentencing condition.

Recruitment and retention of staff at Franklin County Detention Center

Description:

A corrections officer is responsible for the supervision, safety, and security of persons in the custody of the Franklin County Jail. The position requires a great deal of knowledge, training, physical activity, compassion, and the ability to relate to people from all walks of life. There is a value to having experienced and well trained corrections officers providing stability in the correctional facility. Recruitment and retention of staff at the Franklin County Detention Center is very challenging. Stress and working conditions contribute to this issue. We hope that the recent contract negotiations which have resulted in a more competitive salary will alleviate some of these problems.

Recommendations:

Recruitment

- Continue to actively partner with schools that offer criminal justice programs (such as Central Maine Community College, Thomas College, University of Maine at Augusta and Husson University) to recruit candidates for corrections officers' positions.
- Continue to offer competitive salary, benefits, and retirement to offset the stressors of this work.
- The Board of Visitors acknowledges that the current economic and pandemic situation makes recruitment a challenge.

Retention

- Attention paid to facility and equipment issues addressed in the following sections in order to maintain safety, reduce stress, and allow for effective functioning on the job.
- Continue to offer Employee Assistance Programs to provide support for corrections officers.
- Continue to provide education regarding self-care which builds off of the "Correctional Officer Stress, Substance Abuse, and Suicide" training provided by the Maine Criminal Justice Academy.
- Offer specific on-going training on de-escalation methods, substance use disorder, domestic violence, mental health first aid, and mental illness.
- Ensure debriefing process for critical incidents.
- Ensure (as far as possible) adequate staffing to allow for sufficient contracted vacation and leave time.
- Continue the staff recognition program that acknowledges the good work and positive contributions of staff members.

Medical and Mental Health Services at FCDC

Medical services

Barbara Gerdin, RN and Aaron Welch LPN, MHRT are the only two regular medical personnel on staff at this time. A third nurse has expressed an interest in serving on a per diem basis. As noted in our previous report a minimum of three nurses is necessary to cover the hours necessary. Gregory Ellis, PA remains the medical provider and is on site once/week. Medical services are contracted through MedPro, an organization that provides medical and mental health services to several other correctional facilities in the state including Aroostook, Somerset, Piscataquis, Penobscot and Two Bridges.

Medical services at FCDC are severely hampered by the inadequacy of the physical space and furnishings, including:

1. no dedicated space for clinical evaluation and treatment
2. no ventilation or functional air conditioning
3. aged, deteriorated and unsecurable furnishings including desk, medication cart, filing cabinets and utility cabinets.

These conditions make it impossible to maintain adequate sanitation of surfaces, adequate distancing as required by COVID precautions, the controlled temperature and ventilation required for comfort and safety of staff and patients, and the ability to ensure privacy of medical records as required by HIPAA regulations. These are basic functions that any medical office should be able to accomplish. Redressing these deficiencies should be the highest priority. ARPA funding might even make it possible to do so in a timely manner.

There also remain unaddressed inadequate technological capabilities in the office as noted in our previous report. Medical records are written by hand, requiring a physical filing system and exacerbating both the space and privacy issues noted above, as well as being inefficient. Handwritten notes also hamper communication with other medical facilities including inmates' physicians and any hospitals that an inmate may be referred to for urgent or complicated medical problems. In the 21st century this situation constitutes substandard care, in spite of the best efforts of this dedicated medical staff. There is only a single phone line, preventing the efficient faxing of information to and from other medical facilities. Priority should be given to digitizing existing medical records and utilizing a system that would allow for electronic recording of notes and data related to patient care.

On a positive note, communication among medical, mental health and corrections staff has improved since our last report. Induction of medically assisted treatment for opioid substance use disorder is available to residents who qualify and wish to avail

themselves of this treatment. This is a significant expansion of services since our last report and may reduce the risk of relapse and overdose deaths for residents with opioid use disorder upon release from the jail. Naloxone is available and accessible in case of opioid overdose in or near the jail. Naloxone kits are offered to all residents upon release.

Mental health services

Andrea Bradford LADC, MHRT-C and Dalene Sinski, LCSW have provided mental health services and support groups at the jail since 2018, at first as an independent practice named Clearwater Counseling, currently through MedPro.

Andrea reviewed the groups offered at the jail which include anger management, Seeking Safety (about PTSD and substance use as co-occurring disorders), relapse recovery and a pre-release transition group (emphasizing relationships and parenting). Attendance is dependent on jail census, and can be as high as 18 participants. These groups meet weekly in the library, a multi-purpose room that also serves as a conference room, staff training room and education site. It is difficult to maintain safe distances if there are more than a few participants. It is also difficult to maintain privacy, since jail staff can walk through the library at any time. In addition, groups may often be cancelled outright due to other uses of the room that take priority. Consistency and privacy are important factors in creating an atmosphere where group members can speak openly and participate fully; these conditions guarantee neither.

Mental health intake is likewise compromised by lack of privacy, since for COVID pandemic reasons these interviews take place in the quarantine unit. Other inmates are often present and the acoustics in the room interfere with hearing.

COVID likewise limits activities that were formerly available to jail residents, such as the community garden, animal therapy, yoga, movie and game nights. (A resident has taken over the teaching of yoga stretches to other residents,) The Children's Task Force used to provide a parenting program but that has not happened for several years. The library can only be accessed after a waiting period. Residents now have tablets which gives them access to reading material and other activities.

Women residents have access to the same groups as men, but since their stays are generally shorter they are less involved and more guarded.

Reasons for incarceration include substance use, criminal threatening, domestic violence and OUI. Perhaps 50% of residents have a major mental illness that has been untreated. Communication with medical staff is good and medical treatment for mental illness can usually be obtained during incarceration.

Recommendations for medical and mental health services

1. Expand the space for medical services to include an administrative room for files and supplies and a clinical room for examination and treatment. (See Infrastructure below)
2. Ensure adequate ventilation and temperature control within the medical facility.
3. Replace deteriorated furnishings so adequate sanitation can be ensured.
4. Replace filing cabinets and medication cart to ensure security and safe storage.
5. Upgrade information handling to include a second dedicated phone line, use of electronic medical records to document ongoing care and digitization of existing medical information.
6. Provide secure, private space for mental health intake and group therapy

Infrastructure

This section is based on a report from Sheriff Scott Nichols and recommendations from the 2020 report. Inmates are entitled to a standard of living that is consistent with an environment that promotes and supports a culture of rehabilitation and correction.

The jail is the county's largest investment. It is now 38 years old and the infrastructure is beginning to fail. The HVAC (Heating Ventilation Air Conditioning) was replaced this year at a cost of \$55,000. Without this upgrade, the interior of the facility could reach lethal temperatures. Other infrastructure issues cannot be fixed within the existing budget, which is constrained by a state mandated 4% cap over the previous year's expenditures. American Rescue Plan Act (ARPA) funds can provide for a one-time expenditure to address the following problems:

- The jail and Sheriff's Office have been sharing the same sewer system for 38+ years. Even though the storage tanks are pumped twice a year, the leach field is coming close to the end of its effective life.
- Obsolete control room switching panel and door lock systems need upgrading. The security system/control panel at the jail is very old. Repair parts are difficult to find and the system is on the verge of a major malfunction. This problem is longstanding and was noted in our previous report. If security fails, the jail is not serving its most basic function.
- Locks on the doors often malfunction and require extra steps to access different parts of the building, a sure safety issue in terms of fire or security emergencies.
- A column of exposed wiring runs from the control panel to the ceiling. Again, this was noted in our previous report.
- Corrections records are spread among several different software programs and there are a great number of paper files that are not digitized and therefore not easily accessible.
- The only part of the facility available for recreation is a concrete basketball court located outside, hampering exercise in the winter, and not particularly conducive to different forms of exercise. Increasing access to indoor and outdoor recreation reduces stress, improves mental stability and mitigates aggressive tendencies, and is required by [Detention and Correctional Standards for Maine Inmate Activities and Services](#) paragraph M6.
- The current medical facility is too small and is outdated. The room has no ventilation. The medical facility needs to be doubled in size and have an air circulation system inside.
- The kitchen also needs doubling in order to add additional food storage (refrigeration and freezer space) and also have an updated air circulation system.

Recommendations:

Building and Grounds

- The sewer system for County Way is at the end of its life and requires repair/replacement. (Begun, but not yet completed)
- Since both the medical room and kitchen are next to each other, expansion could be attained by expanding the outside wall outward from the jail. We recommend an engineering study to determine the feasibility and cost of such a project and prioritizing this project for the use of ARPA funds. In addition, improved furnishings and layout are needed. We are heartened that the Sheriff has begun studies to determine how to proceed.
- A dedicated conference room should be identified.
- Dedicated office space for DHHS, pretrial services and a private space for mental health evaluation and individual counseling is needed.
- A more comfortable visitation area should be considered in remodeling plans in order to facilitate user-friendly contact visits by families of minimum and medium custody inmates as provided for in state regulations. [Detention and Correctional Standards Paragraph J.15](#)
- A dedicated indoor exercise area should be identified with equipment in good repair.
- An overhead canopy above the outdoor recreation area would allow inmates to recreate outside during adverse weather and in the winter.
- County Way should be paved.

Record-keeping

- Unified corrections records software options should be investigated and adopted.
- Data file-merging options should be identified and adopted.
- Provision should be made for scanning or otherwise digitizing paper files.
- Medical software should be compatible with community and hospital practices, and kept separate from corrections files.

Security system

- Obsolete control room switching panel and door lock systems need replacement and upgrading.
- Security cameras need upgrading to include tilt and panoramic functionality.
- The Control Room needs all exposed wiring runs eliminated.

Staff and inmate furnishings

- Exercise equipment needs repair. Administration has indicated they have one exercise machine in poor repair.
- Furniture in the control room, pretrial/DHHS, and the medical clinic should be replaced with ergonomic items in good repair.

Inmate Access (Communication, Visitation and Computer Access)

Phone

The cost to inmates of using the telephone is excessive, and according to staff is set by the phone company. (The Maine legislature is considering a bill regarding this situation.)

Computer Access

Computer access must be expanded to include the ability for inmates to review files from their attorneys. Attorneys can provide the inmate with hard copies of much of the “discovery” for their case, which consists of things like police reports, witness statements, and other documents. However, there are often video or audio recordings as part of the discovery, such as dashcam footage, recorded interviews, etc. Currently, the only way an inmate can review the audio or video discovery is if their attorney visits the inmate at the jail in-person and the attorney brings their own laptop or other equipment. This is inherently problematic because it limits the inmate’s ability to review the evidence in his or her own case and gives them only limited access to this evidence. The Covid-19 pandemic adds another layer of concern because the current system requires additional people to be physically at the jail and stay for an extended period of time depending on the time necessary to review the discovery.

Visitation

Noncontact visits are allowed 30 minutes a day, with up to two people at a time, for up to four(4) days per week. The number of visits allowed per week is generous. However, thirty minutes is a short period of time especially if the visitor is traveling a long distance. Non-contact visits also limit bonding especially between a parent and visiting child. Space for visits is very limited.

Recommendations:

Computer access

The Jail should allow access to a computer with a CD drive for inmates to review video/audio recordings without the need for their attorney to be present. The Jail could use a laptop with disabled access so the inmate could not access the internet or anything else on the computer.

Visitation

Improve ease of use of the visitation space, including allowing adequate time, instructions for using the intercom, adequate seating, and accommodation of contact visits-especially between parents and children. (Per [Detention and Correctional Standards for Maine](#) Inmate Communications J.19)

Educational Programming for Inmates

Educational programming at the detention center is provided through a contract with Franklin County Adult and Community Education (FCACE). Services include instruction for HiSET and diploma attainment, career guidance, and literacy. The instruction is for 14 hours per week. During the pandemic, these hours have not been possible if the facility has been closed. The instructor, Sue Knight, also accepted a full-time job with the local school district and has had to cut her hours of availability to ten. She is resigning as of December 31st and FCACE hopes to find someone to replace her and resume the full schedule.

This year updated materials were purchased to help with instruction. Previous materials were limited to one textbook that has not proven to be an effective tool. New books for the library were purchased using jail resources to update and improve the reading material accessible to inmates.

Inmates were also given access to tablets that have 100's of downloaded podcasts and audiobooks. These can be checked out and used in their cell space. The detention staff is investigating options for downloading other information and possibly Westlaw for inmate access to legal research. Other institutions are using the ipods for soft skills training. FCACE will be pursuing this training in FY 22.

OSHA 10 training was introduced as a career preparation training. This is a 10 hour online course that provides basic safety training for those looking to work in the construction or other trade fields. Five inmates took advantage of this opportunity.

Official HiSET testing requires secure web access and at least two functioning computers. This fall after several failed testing attempts, FCACE replaced one of the computers at the jail with a desktop computer. This has allowed our test examiner to continue testing. Three inmates have passed their Hiset this year.

Our instructor has also run a book club group with donations from the Maine Humanities Council. Books are chosen by the council and discussion questions are provided for thought provoking discussions. This has been a way for inmates to engage in learning without the need for formal instruction.

Recommendations

- Increase hours of instruction
- Increase number of computers in the library, so more individuals can take advantage of educational opportunities
- Introduce training programs using the tablets that increases learning and workforce skills
- Allow for additional ways for the instructor to recruit inmates for learning opportunities
- Limit use of library by other parties during instructional time to provide improved learning atmosphere for students

Re-Entry Resources

When inmates leave the Franklin County Jail, they are given a folder that the jail has put together with information for community resources. The folder contains the following:

- A flyer about Narcan, including some warnings about opioid use and the risk of overdose upon release, signs of opioid overdose, to-do's and to-don'ts, instructions for Narcan, and local resources for counseling, Narcan refills, and recovery and support groups.
- A flyer entitled "Re-Entry Resources for Franklin County", which lists names of individuals or organizations that can be contacted for assistance regarding substance use, mental health, public benefits and assistance, reproductive health services, domestic violence and sexual violence, peer support, crisis support, housing assistance, Veterans' services, food assistance, and COVID-19 related resources.
- A bus schedule for the Western Maine Green Line bus with bus fare amounts.
- An information sheet for the Maine Volunteer Lawyers Project is included, as well as a list of local substance use counselors, mental health counselors, case management services, food banks, shelters and emergency shelters in the area.
- A pamphlet with descriptions of state assistance programs.
- A pamphlet listing the contact information for Children's Task Force and Batterer's Intervention Programs.
- Information for Rose's Room, a monthly support group for family and loved ones of incarcerated individuals.

The folder is a good resource that the jail has put together. It contains a lot of information and contact numbers for many services. However, on paper it looks like there are a lot more resources than are realistically available in Franklin County. These are some of the significant barriers that individuals may experience when re-entering the community:

Barrier 1: Shortage of Treatment Services. The entire state is struggling with a shortage of providers of all kinds and Franklin County is no exception. There are long waitlists for counselors, substance use counselors, case managers, and psychological evaluations for members of the community. There is only one psychiatrist in the area. Not only does this delay or prevent individuals from receiving necessary treatment, but it also can be problematic for individuals that are no longer detained at the jail but are still subject to a pending criminal case that may require them to receive these services. Delay in services can very well mean a delay in the resolution of their court case and expose them to risk of incarceration as a result of not engaging in these services.

The Intensive Case Manager helps sign inmates up for MaineCare when they need it and there is a specific MaineCare application for incarcerated persons. MaineCare coverage is supposed to take effect immediately upon release.

Barrier 2: Transportation. Franklin County is a very large, very rural county, yet the options for public transportation are exceedingly limited. The Western Maine Green Line bus has limited hours and makes limited stops. MaineCare recipients are eligible to access Community Concepts and ModivCare for transportation. ModivCare is only for medical care related transportation.

Also very concerning is the fact that Community Concepts and ModivCare are very short on drivers—sometimes drivers can only provide transportation one way only to an appointment. Obviously, this is unworkable. One-way transportation is of no value if there's no transportation for the other end of the trip. There are also frequent issues with Community Concepts suspending someone's transportation for "no shows" even when the person appropriately canceled the ride. It's a struggle to get drivers to come pick up someone at the jail when they are released, which could be at any time during the day/evening.

Western Maine Transportation is another option. They offer the Green Line, a regular bus line with trips to Auburn and Lewiston. Their local bus can also do individual pick-ups with 24 hours notice for medical appointments and shopping between 8 am and 4 pm. There is a fee for all rides. More information for Western Maine Transportation services can be found [here](#).

Transportation is important for so much more than medical appointments. It is necessary for other court-ordered services, such as educational classes, employment, legal services, as well as, daily needs like grocery shopping, laundromat, etc. Since the pandemic, many court-ordered programs such as individual counseling and educational classes are being conducted online. This helps alleviate some transportation concerns but can cause other problems because it requires access to the internet.

Barrier 3: Housing. There are very limited housing options, for both short and long-term housing. There is no shelter in Franklin County. Shelters often have restrictions such as background check requirements and prohibitions against felony convictions or sexual/domestic violence charges; or sobriety requirements, and sometimes employment requirements. This is particularly problematic for individuals with domestic violence related charges who cannot return to their home because they likely have no-contact conditions with the alleged victim. Landlords are often unwilling to accept housing assistance vouchers and/or individuals with case managers. Extensive housing applications and limits on housing assistance eligibility based on considerations of SSI as income present additional barriers. There had previously been some emergency funding available during the pandemic for using hotels as housing but that funding is no longer available.

Barrier 4: Other resources. Drug court, recovery housing/recovery center services are not currently available in Franklin County. These are an important part of a successful reentry program. Local government at all levels must prioritize development of these resources.

Recommendations

- Include information about Western Maine Transportation's local bus service (as distinguished from WMT's Green Line bus) in the reentry packet. County commissioners should recognize the importance of transportation in helping formerly incarcerated individuals navigate to appointments, court dates etc.
- Transitional housing/housing for homeless
- Increase access to mental health services and SUD treatment by forming relationships with community providers so there is a warm hand-off between jail services and community services, i.e. no gaps in care. (This is already happening with SUD treatment.)
- Expand peer coaching for recovery treatment.
- Contact information for Adult Education in reentry packet
- Contact information for Board of Visitors in reentry packet (franklin.county.me.bov@gmail.com)

Domestic Violence Services

Domestic violence is one of the most pervasive issues burdening Maine as a whole, including Franklin County specifically. Individuals accused of or convicted of crimes related to domestic abuse make up a significant percentage of the inmates that come through the Franklin County Jail. The effects of domestic violence on our community are numerous--many individuals in our community are victims of domestic abuse, family members of the victims or perpetrators, children of families experiencing intra-family domestic violence, or are peripherally impacted by these crimes. With domestic abuse reportedly increasing during the Covid-19 pandemic, it is especially important that the Jail make efforts where it can to further contribute to the tackling of this problem.

Safe Voices is a nonprofit organization for Franklin, Oxford, and Androscoggin Counties that offers support services for domestic violence and operates an emergency shelter for victims of domestic violence. It offers “one-on-one support, support groups, children’s services, advocacy, information and referral, court advocacy, transporting and accomodation for shelter, community education, and professional training.”(<https://safevoices.org/about-us>) Safe Voices is a resource for the Franklin County Jail; a positive working relationship between the organization and the jail could improve access to services and potentially reduce the impact of domestic violence on our community.

The Board of Visitors was in contact with a representative of Safe Voices and some of the Administrators at the Jail to discuss what type of partnership could be created to further address domestic violence in our community. The following are the action steps that have already been taken or that the Jail reportedly intends to take:

Step 1: Designated Points of Contact

Safe Voices and the Franklin County Jail have each designated individuals that will serve as the primary contact points between the two entities. They have already exchanged contact information and begun communicating directly with each other. This provides an effective and expedient line of communication between the two entities, which will also be helpful for addressing any concerns and problems that Safe Voices identifies through its community work.

Step 2: Daily Notification of Inmate Statuses

The Franklin County Jail maintains an updated log of inmates by recording the daily intakes and releases. The Franklin County Sheriff’s Office website has two separate sections for inmate intakes and inmate releases, which anyone can access. The list is generally current on a weekly basis but there is some delay, particularly for

weekend updates. The delay is due to the fact that the data is manually updated and includes some redactions of personal information. However, the updated log is emailed daily to certain community entities (e.g. the courts, hospitals, etc.) that are part of an email listing. The Jail has now added Safe Voices to that email listing to receive the daily updated inmate log. This is helpful to assist Safe Voices in their services for both victims and perpetrators.

The jail is legally required to notify victims of the release of their alleged perpetrator. Although notifying Safe Voices does not relieve the jail of this obligation, it does provide an opportunity for Safe Voices to more quickly and efficiently offer support or assistance to an individual after they are notified of the inmate's release. This is particularly critical when a person requires a safety plan that may affect their housing or other basic needs.

Step 3: Educational Programming

The Board hopes to see the Jail offer more Safe Voices programming within the Jail to inmates and community members, but also continuing education for its own staff.

Safe Voices offers a variety of domestic violence educational programming that could benefit Franklin County. Some of its programs are for victims of domestic abuse, for family members or children of those experiencing domestic abuse, or for perpetrators. It also offers educational courses for anyone that could benefit from more extensive knowledge of domestic violence, including law enforcement and correctional officers.

No matter the legal status of an incarcerated person, whether victim or perpetrator, Safe Voices can provide assistance. Safe Voices has its own screening system to determine what services may be appropriate for an individual. Jail staff can assist in those services by being aware of what is available, offering broad access to Safe Voices' programs, and by liberally referring inmates to Safe Voices for more information.