

128th MAINE LEGISLATURE

SECOND REGULAR SESSION-2018

Legislative Document

No. 1782

S.P. 665

In Senate, January 11, 2018

An Act To Provide for In-person Visitation of Incarcerated Persons

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on State and Local Government suggested and ordered printed.

HEATHER J.R. PRIEST Secretary of the Senate

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Presented by Senator LIBBY of Androscoggin.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 30-A MRSA §1663 is enacted to read:

§1663. Visitation

- 1. Requirement. The sheriff shall provide for in-person visitation at a county jail between a prisoner and a visitor of the prisoner, subject to conditions and limitations imposed on a case-by-case basis as required for the safety and security of the jail as determined by the sheriff and subject to the exception for video-only visitation provided in subsection 2.
- **2. Exception.** The sheriff may provide video-only visitation at a county jail between a prisoner and a visitor of the prisoner only after a determination is made on a case-by-case basis and documented in the record of the prisoner that in-person visitation may jeopardize the safety and security of the jail or that, on a short-term basis, the jail facility is unable to provide a safe and secure location for in-person visitation.

14 SUMMARY

This bill requires a county sheriff to provide for in-person visitation at a county jail between a prisoner and a visitor of the prisoner, subject to conditions and limitations imposed on a case-by-case basis as required for the safety and security of the jail as determined by the sheriff and subject to an exception for video-only visitation. The bill allows a sheriff to provide video-only visitation only after a determination is made on a case-by-case basis, documented in the record of the prisoner, that in-person visitation may jeopardize the safety and security of the jail or that, on a short-term basis, the jail facility is unable to provide a safe and secure location for in-person visitation.