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CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 681, L.D. 1086, “An Act to Define the Term "Solitary Confinement" for the Laws Governing a Jail or Correctional Facility”

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 34-A MRSA §1001, sub-§17-A is enacted to read:

17-A. Solitary confinement. "Solitary confinement" means the isolation of a resident from other residents of the correctional facility by confining the resident in a cell or other single housing for 22 hours or more within a 24-hour period except for medical reasons as determined necessary by the facility's treating physician or for mental health reasons as determined necessary by the facility's treating psychiatrist, psychologist or other licensed clinician. "Solitary confinement" does not include the isolation of a resident in a cell for up to 5 days based on reasonable suspicion that the resident has ingested a contraband item or inserted a contraband item in a body cavity.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment, which is one of the reports of the committee, replaces the bill and defines "solitary confinement" as the isolation of a resident from other residents of the correctional facility by confining the resident in a cell or other single housing for 22 hours or more within a 24-hour period except for medical reasons as determined necessary by the facility's treating physician or for mental health reasons as determined necessary by the facility's treating psychiatrist, psychologist or other licensed clinician. "Solitary confinement" does not include the isolation of a resident in a cell for up to 5 days based on reasonable suspicion that the resident has ingested a contraband item or inserted a contraband item in a body cavity.

COMMITTEE AMENDMENT