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An Act To Allow the Confinement of Female Prisoners at the Long Creek Youth Development Center

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, there is an urgent need for additional beds for the housing of female prisoners of the Department of Corrections; and

Whereas, there has been a significant reduction in the number of juveniles being housed at the Long Creek Youth Development Center, resulting in an excess of empty beds; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 34-A MRSA §3061, sub-§1, as amended by PL 2017, c. 148, §7, is further amended to read:

1. Transfer. The commissioner may transfer any client from one correctional or detention facility or program, including prerelease centers, work release centers, halfway houses, supervised community confinement or specialized treatment facilities, to another. A juvenile may not be transferred to another facility or program for adult offenders and an adult offender may not be transferred to another facility or program for juveniles, except that an adult offender may be housed in the Long Creek Youth Development Center or the Mountain View Correctional Facility pursuant to section 3817 or 4117 or Title 17-A, section 1259.

Sec. 2. 34-A MRSA §3817 is enacted to read:

§ 3817. Confinement of female prisoners

The commissioner may confine female prisoners sentenced and committed to the custody of the department in the facility as long as the housing facilities for female prisoners are fully separated from the housing facilities for juvenile detainees and juvenile clients and the commissioner maintains at all times full compliance with mandatory sight and sound separation standards established by federal law. All provisions of this Title that are applicable to prisoners apply to female prisoners confined in the facility as if they were confined in a correctional facility housing only adults.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This bill allows female adult prisoners to be confined at the Long Creek Youth Development Center.