An Act To Prohibit Solitary Confinement in Maine's Corrections System

Received by the Clerk of the House on March 2, 2021. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Presented by Representative LOOKNER of Portland.
Cosponsored by Representatives: MORALLES of South Portland, RECKITT of South Portland, TALBOT ROSS of Portland, WARREN of Hallowell, Senator: CHIPMAN of Cumberland.
Be it enacted by the People of the State of Maine as follows:

Sec. 1. 30-A MRSA §1566 is enacted to read:

§1566. Solitary confinement prohibited

A jail may not impose solitary confinement on a prisoner. For purposes of this section, "solitary confinement" has the same meaning as in Title 34-A, section 1001, subsection 17-A.

Sec. 2. 34-A MRSA §1001, sub-§17-A is enacted to read:

17-A. Solitary confinement. "Solitary confinement" means the segregation of a prisoner during which the prisoner has contact with another person less than 3 times per 24-hour period.

Sec. 3. 34-A MRSA §3032, sub-§2-A is enacted to read:

2-A. Solitary confinement. Solitary confinement may not be imposed.

Sec. 4. 34-A MRSA §3032, sub-§3, ¶E, as enacted by PL 1983, c. 459, §6, is amended to read:

E. If a person is held in segregation or solitary confinement for more than 5 days, the chief administrative officer shall send a report of the confinement to the commissioner, giving the reasons for the confinement.

SUMMARY

This bill prohibits solitary confinement in jails and prisons in the State. It defines "solitary confinement" to mean that a prisoner is segregated and has contact with another person less than 3 times a day.