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CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE HOUSE OF REPRESENTATIVES 132ND LEGISLATURE FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to H.P. 259, L.D. 405, “An Act to Define
"Solitary Confinement" for the Laws Governing Jails and Correctional Facilities”

Amend the bill by striking out the title and substituting the following:

'An Act to Require Reporting on the Uses of Prisoner Segregation'

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

'Sec. 1. 30-A MRSA §1660, sub-§5 is enacted to read:

5. Information on segregation. The report must include the following information
for county jails and regional jails about prisoners who have been segregated and not
allowed to leave their cells for a minimum of 22 hours out of a 24-hour period during the
prior calendar year:

A. The total number of prisoners who were segregated;

B. For each instance of segregation, the total amount of time a prisoner was segregated;
and

C. The reason why the prisoner was segregated.

As used in this subsection, "segregation" means the separation of a prisoner from the
general population of a county jail or regional jail for administrative or punitive reasons.

Sec. 2. 30-A MRSA §1660, as amended by PL 2015, c. 315, §3, is further amended
by enacting at the end a new paragraph to read:

After reviewing the report, the joint standing committee of the Legislature having
jurisdiction over criminal justice matters is authorized to submit legislation to address
issues raised by the report.

Sec. 3. 34-A MRSA §1402, sub-§15 is enacted to read:

15. Report on segregated prisoners. On or before January 15, 2026 and annually
thereafter, the commissioner shall submit a report to the joint standing committee of the

1 Legislature having jurisdiction over criminal justice matters that includes the following
2 information for each correctional facility about prisoners who have been segregated and
3 not allowed to leave their cells for a minimum of 22 hours out of a 24-hour period during
4 the prior calendar year:

5 A. The total number of prisoners who were segregated;

6 B. For each instance of segregation, the total amount of time a prisoner was segregated;
7 and

8 C. The reason why the prisoner was segregated.

9 After reviewing the report, the joint standing committee of the Legislature having
10 jurisdiction over criminal justice matters is authorized to submit legislation to address
11 issues raised by the report.'

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

14 SUMMARY

15 This amendment, which is the majority report of the committee, replaces the bill and
16 changes the title. The amendment requires the Commissioner of Corrections to report
17 instances of segregation in which a prisoner is segregated and not allowed to leave their
18 cell for a minimum of 22 hours within a 24-hour period in a correctional facility, county
19 jail or regional jail, to the joint standing committee of the Legislature having jurisdiction
20 over criminal justice matters. This report must include the total number of prisoners who
21 were segregated, the total amount of time a prisoner was segregated for each instance of
22 segregation and the reason why the prisoner was segregated. After reviewing the report,
23 the joint standing committee is authorized to submit legislation to address issues raised by
24 the report.

25 FISCAL NOTE REQUIRED

26 (See attached)