



**Grayson Lookner**

P.O. Box 8264

Portland, ME, 04104

Phone: (207) 200-3860

[Grayson.Lookner@legislature.maine.gov](mailto:Grayson.Lookner@legislature.maine.gov)

# HOUSE OF REPRESENTATIVES

2 STATE HOUSE STATION

AUGUSTA, MAINE 04333-0002

(207) 287-1400

TTY: MAINE RELAY 711

March 24, 2025

*Testimony of Representative Grayson Lookner presenting*

**LD 405, An Act to Define "Solitary Confinement" for the Laws Governing Jails and Correctional Facilities**

*Before the Joint Standing Committee on Criminal Justice and Public Safety*

Good morning, Senator Beebe-Center, Representative Hasenfus and honorable colleagues on the Committee on Criminal Justice and Public Safety. My name is Grayson Lookner, and I represent House District 113, which includes several neighborhoods in Portland. I'm here today to present **LD 405, An Act to Define "Solitary Confinement" for the Laws Governing Jails and Correctional Facilities.**

When I say the words "solitary confinement," it may conjure an image in your mind. The image might be an uncomfortable one to grapple with, as is common when confronting a difficult truth. I am not here today to debate whether or not keeping a resident of a prison or jail in a state of prolonged isolation is necessary or if it is effective, I am simply here to ask that we define a term that already appears in Maine law that currently has no definition so that we can know the truth.

The term "solitary confinement" is used once in Maine Statute in Title 34-A §3032, which requires an administrative officer to report to the Commissioner in the event that a person is kept in segregation or solitary confinement for a duration of longer than five days. Segregation is also not defined, but the terms seem synonymous. Clarity in this statute will help shed light on how the practice that is commonly understood to mean keeping a resident in isolation for 22 or more hours in a 24-hour period is being employed in corrections facilities across Maine, which is how the term is defined in this bill.

I believe that the Department of Corrections (DOC) wishes to be helpful on this matter, and does not wish to hide from the public the nature of incarceration of many residents who are being kept in prolonged isolation. Last session, when I introduced this same legislation, the DOC offered an amendment that would've created a definition for solitary confinement except for when the resident was being held in isolation for reasons pertaining to their physical or mental health or

when monitoring a resident suspected of ingesting contraband. I do not deny that these practices may be necessary in some circumstances, but I also believe that they constitute solitary confinement. In my view, the DOC's amendment was overly broad because the vast majority of cases in which solitary confinement is being used would fall into one of those exempted categories.

Some of our legislative colleagues on this committee offered another amendment on that same bill to remove the term "solitary confinement" from Maine statute altogether. I fear that approach would only further obscure the truth of how these practices are being used in and by the state. We cannot bury our heads in the sand in hopes that a difficult truth will go away. Our constituents elected us to confront such things head-on with clarity and resolve.

I believe it is important for us to dignify the conditions of residents of Maine's prisons and jails by offering a label to what some of them are experiencing, and to help them and the public understand how these practices are being employed in and by our state. Please support this legislation so that we can know the truth of how solitary confinement is used in Maine's prisons and jails.

Thank you for hearing my testimony, and I'd be happy to answer any questions.