

MAINE STATE LEGISLATURE

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ROFS

L.D. 1710

Date:

6/16/25 Minority

(Filing No. H-

738

CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE

HOUSE OF REPRESENTATIVES

132ND LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 1145, L.D. 1710, "An Act Regarding the Authority to Transport Prisoners Confined in Jail and the Use of Physical Force with Respect to Prisoners and Persons Who Have Been Arrested"

Amend the bill in section 5 in §107-A by inserting after subsection 4 the following:

'5. Notwithstanding any provision of this section to the contrary, a corrections officer or corrections supervisor is not justified in using nondeadly or deadly force, or in directing a private person in the use of such force, in accordance with this section unless the corrections officer or corrections supervisor has received in-service training pursuant to Title 25, section 2804-F, subsection 5 in the use of such force, or in directing a private person to use such force, in the setting in which the force is to be used.'

Amend the bill by inserting after section 8 the following:

'Sec. 9. 25 MRSA §2804-F, sub-§3, as amended by PL 2013, c. 147, §35, is further amended to read:

3. Provisions of in-service training. In-service training programs that meet the requirements established under subsection 2 or 5 or other in-service training may be provided by the Maine Criminal Justice Academy or the agency employing the corrections officer.

Sec. 10. 25 MRSA §2804-F, sub-§5 is enacted to read:

5. Additional certifications. The board shall establish additional in-service training requirements for corrections officers and corrections supervisors who are responsible as part of their official job duties for transferring or conveying from one place to another individuals who are confined in a jail, prison or state correctional facility pursuant to an order of a court or as a result of an arrest. These in-service training requirements must include training on the use of nondeadly or deadly force, or in directing a private person in the use of such force, that is used or directed outside of a jail, prison or state correctional facility. A corrections officer or corrections supervisor who fails to complete this in-service

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training is not justified in using or directing the use of force under Title 17-A, section 107-A, subsections 1, 2 and 4.'

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

SUMMARY

This amendment, which is the minority report of the committee, amends the bill by requiring that the Board of Trustees of the Maine Criminal Justice Academy establish additional in-service training requirements for corrections officers and corrections supervisors who are responsible as part of their official job duties for transferring or conveying from one place to another individuals who are confined in a jail, prison or state correctional facility pursuant to an order of a court or as a result of an arrest. The in-service training must include training on the use of nondeadly or deadly force, or in directing a private person in the use of such force, that is used or directed outside of a jail, prison or state correctional facility. If a corrections officer or corrections supervisor does not complete this additional training, the corrections officer or corrections supervisor is not justified in the use or direction of such force. This training may be provided by the Maine Criminal Justice Academy or the agency employing the corrections officer or corrections supervisor.

FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT



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LD 1710

LR 687(03)

An Act Regarding the Authority to Transport Prisoners Confined in Jail and the Use of Physical Force with Respect to Prisoners and Persons Who Have Been Arrested

Fiscal Note for Bill as Amended by Committee Amendment

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

A' (H-738)

Fiscal Note

Minor cost increase - General Fund

Minor savings - General Fund

Minor revenue decrease - General Fund

Minor revenue decrease - Other Special Revenue Funds

Correctional and Judicial Impact Statements

There may be some minor reduction of workload associated with the minimal number of cases that will no longer be filed in the court system. Reductions in the collection of fines will decrease General Fund or other dedicated revenue by minor amounts.

Fiscal Detail and Notes

Any additional costs to the Departments of Corrections and Public Safety from the provisions of this bill are expected to be minor and can be absorbed within existing budgeted resources.