

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 525

H. P. 414

House of Representatives, January 30, 1969

Referred to Committee on State Government. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Richardson of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

AN ACT Relating to Inspection of County Jails.

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

R. S., T. 34, § 3, amended. The 2nd paragraph and the 3rd paragraph, as enacted by chapter 248 of the public laws of 1967, are amended to read as follows :

~~The department, in cooperation with the several county commissioners, shall establish mutually agreed upon standards for each county jail in particular and for all county jails generally. The commissioner shall establish standards for all county jails.~~ Such standards shall approximate, insofar as possible, those established by the Inspector of Jails, Federal Bureau of Prisons.

Failure on the part of the county commissioners to maintain standards established under this section, discovered during any jail inspection conducted under this section, shall be reported by the commissioner in writing to the county commissioners of the county in which such jail is located, specifying deficiencies and departures from such standards and ordering their correction. It shall be the responsibility of the county commissioners to cause such deficiencies to be corrected and such standards to be restored, within 60 days from receipt of the report and order of the commissioner. **For failure of the county commissioners to comply with such order, the commissioner may order the county jail to be closed and the prisoners transferred to the nearest county jail or jails meeting the prescribed standards and having available room for prisoners. The cost of transfer, support and return of such prisoners shall be paid by the county from whose jail the prisoners are transferred as provided in this section for other transfers.** The commissioner may contract with any qualified person to serve as consultant to the department for the purpose of inspections under this section and to inspect the county jails, and any law to the contrary notwithstanding, such qualified person may be an officer or employee of the department.