## MAINE STATE LEGISLATURE

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		FIRST R	EGULAR SE	SSION	
	ONE HUND	RED AND	ELEVENTH	LEGISLATUR	E
Legisla	tive Documen	t			No. 1182
H.P. 90	3		House of I	Representatives,	March 14, 1983
	ferred to the Co currence and ord			Institutional Serv	vices. Sent up
				EDWIN H	H. PERT, Clerk
	ed by Representa sponsor: Senator				
		STAT	E OF MAIN	E	
			EAR OF OU RED AND E	R LORD IGHTY-THREE	
7	AN ACT to E	stablis	h Inmate	Representat	ion.
Be it		the Pe	ople of t	he State of	Maine as
34	4 MRSA c. 6	2-B is	enacted t	o read:	
		CHA	PTER 62-B		
		INMAT	ES' COUNC	ILS	
§541.	Inmates'	council	s; establ	ishment	
informinmate all tive of	m inmates es' council inmates an designated	on, not of the This ad to a by the	includin eir righ informat family me e inmate		ils, shall blish an e given to epresenta- inmate's
				his informa e instituti	

The warden or supervisor shall assist inmates in establishing a council, if the inmates choose to establish one. If there is no council, at least once each year inmates shall be given the opportunity to establish one. A majority vote shall prevail.

The council shall adopt bylaws, if there are not any already in existence. The bylaws shall, in addition to other matters, specify the size of the council, the method of representation and the length of the terms of the members. The council may meet as often as specified in the bylaws, but at least quarterly, except if the security of the institution requires otherwise. No employee or designated outside representative may be a voting member of the council.

The council may choose an individual outside of the institution to serve as its outside representative. The outside representative may sit on the council, but shall not be a voting member.

The council shall notify the Commissioner of Corrections when the council is established or reestablished.

§542. Responsibilities of the council

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- The council has, but is not limited to, the following responsibilities:
- 25 <u>1. Make recommendations. To review and make</u>
  26 <u>recommendations to strengthen the institution's poli-</u>
  27 <u>cies and procedures relating to inmates' rights;</u>
- 28 2. Establish procedures to inform. To establish procedures for informing all inmates about their rights;
- 31 3. Serve as a forum. To serve as a forum for obtaining and disseminating information for soliciting and adopting recommendations for the institution's programming and improvement, and for early identification and recommendations for orderly resolution, of inmates' problems;
- 37 4. Inform warden of concerns. To inform the 38 warden or supervisor about the opinions and concerns 39 of the inmates; and

1 5. Involve families. To find ways to involve 2 and assist families of inmates with their mutual con-3 cerns.

Records of council meetings and decisions shall be prepared and disseminated by the council. The council may request the assistance of members of the institution's staff in fulfilling this requirement. These records shall be kept on file in the facility and shall be available at all reasonable times to inmates, inmates' family members or inmates' designated outside representative.

## 12 §543. Assistance by institution staff

The warden or supervisor shall designate a staff
member, not related to him, to assist the inmates'
council.

## §544. Suspension

Only in the severest emergency relative to the security of the institution may the functions of the council be suspended. Suspension shall be at the direction of the Governor. The council's activities are to be restored as soon as reasonably possible by agreement of the Governor and the council's designated outside representative.

## 24 STATEMENT OF FACT

The purpose of this bill is to establish a framework in which a reliable means of communication between inmates and correctional facility administrators may occur. Better communication will promote the inmates' and administrators' mutual objectives of cooperation and participation. This bill reestablishes by statute the operation of inmates' councils that had previously been established by past administrations.

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