



120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1017

H.P. 773

House of Representatives, February 20, 2001

An Act to Allow Compassionate Leave to State Prisoners.

Reference to the Committee on Criminal Justice suggested and ordered printed.

Millicent M. Mac Jailand

MILLICENT M. MacFARLAND, Clerk

Presented by Representative McKEE of Wayne. Cosponsored by Senator GAGNON of Kennebec and Representatives: MAILHOT of Lewiston, SKOGLUND of St. George, SOCTOMAH of the Passamaquoddy Tribe, WATSON of Farmingdale, Senators: KILKELLY of Lincoln, TREAT of Kennebec.

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

Sec. 1. 34-A MRSA §3048 is enacted to read:

§3048. Compassionate leave

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The commissioner, at the commissioner's discretion, may 8 extend the limits of the place of confinement of a client by allowing the client, under prescribed conditions, to visit a specifically designated place, within or without the State, for a 10 period not exceeding 15 days and return to the same or another institution or facility. This period may be renewed at the 12 discretion of the commissioner. The leave may be granted only to 14 permit a visit to a dying spouse or natural or adoptive mother, father, son, daughter, grandfather or grandmother, grandchild, 16 brother or sister; attendance at the funeral of a spouse or natural or adoptive mother, father, son, daughter, grandfather or 18 grandmother, grandchild, brother or sister; the obtaining of medical services not otherwise available; or the contacting of 20 prospective employers or for a compelling reason consistent with rehabilitation. A client who fails to return from the leave as 22 provided under the prescribed conditions is guilty of the crime of escape. 24

SUMMARY

This bill allows a prisoner compassionate leave to visit a dying relative, attendance at the funeral of a relative, obtain of medical services not otherwise available or contact a prospective employer. The bill also states that if a prisoner does not return from the leave the prisoner is guilty of escape.