## MAINE STATE LEGISLATURE

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Amendment Name: Amendment CC (H-886) (LD 1756 2020)

Date: 9/17/2020

1	L.D. 1756
2	Date: (Filing No. H-
3	CRIMINAL JUSTICE AND PUBLIC SAFETY
4	Reproduced and distributed under the direction of the Clerk of the House.
5	STATE OF MAINE
6	HOUSE OF REPRESENTATIVES
7	129TH LEGISLATURE
8	SECOND SPECIAL SESSION
9 10	COMMITTEE AMENDMENT " " to H.P. 1250, L.D. 1756, Bill, "An Act To Improve Public Safety through Coordinated Reentry of Prisoners into the Community"
11	Amend the bill by striking out all of sections 2 to 5 and inserting the following:
12 13	'Sec. 2. 34-A MRSA §3036-A, sub-§2, ¶B, as amended by PL 2019, c. 113, Pt. C, §91, is further amended to read:
14 15 16 17 18 19 20 21 22 23 24 25 26 27	B. A prisoner may not be transferred to supervised community confinement until the prisoner has served at least 2/3 of the term of imprisonment imposed or, in the case of a split sentence, at least 2/3 of the unsuspended portion, after consideration of any deductions that the prisoner has received and retained under Title 17-A, section 2302; subsection 1; section 2305; section 2307; section 2308; section 2309; section 2310; or section 2311 if the term of imprisonment or, in the case of a split sentence, the unsuspended portion is more than 5 years. A prisoner may not be transferred to supervised community confinement until the prisoner has served at least 1/2 of the term of imprisonment imposed or, in the case of a split sentence, at least 1/2 of the unsuspended portion after consideration of any deductions that the prisoner has received and retained under Title 17-A, section 2302, subsection 1; section 2305; section 2307; section 2308; section 2309; section 2310; or section 2311 if the term of imprisonment or, in the case of a split sentence, the unsuspended portion is 5 years or less.
28 29	<b>Sec. 3. 34-A MRSA §3036-A, sub-§2,</b> ¶C, as amended by PL 2019, c. 113, Pt. C, §92, is further amended to read:
30 31 32 33 34 35	C. Except as provided in paragraph C-1, a A prisoner may not be transferred to supervised community confinement unless the prisoner has no more than 18 36 months remaining on the term of imprisonment or, in the case of a split sentence, on the unsuspended portion, after consideration of any deductions that the prisoner has received and retained under Title 17-A, section 2302, subsection 1; section 2305; section 2307; section 2308; section 2309; section 2310; or section 2311.

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- Sec. 4. 34-A MRSA §3036-A, sub-§2, ¶C-1, as amended by PL 2019, c. 113, Pt. C, §93, is repealed.
  - **Sec. 5. 34-A MRSA §3061, sub-§1,** as amended by PL 2019, c. 113, Pt. C, §98, is further amended to read:
  - 1. Transfer. The commissioner may transfer any client from one correctional or detention facility or program, including prerelease centers, work release centers, halfway houses, sober houses, transitional housing, reentry programs, supervised community confinement or specialized treatment facilities, to another. A juvenile may not be transferred to another facility or program for adult offenders and an adult offender may not be transferred to another facility or program for juveniles, except that an adult offender may be housed in the Long Creek Youth Development Center or the Mountain View Correctional Facility pursuant to section 4117 or Title 17-A, section 1611.
  - Sec. 6. Department of Corrections to establish a steering committee on the supervised community confinement program and the reentry of prisoners into the community. The Department of Corrections shall establish a steering committee focused on assessing and examining the supervised community confinement program and reentry policies, practices and procedures.
  - **1. Composition.** The steering committee must be composed of, but not limited to, the following members:
    - A. The Commissioner of Labor;
    - B. The Commissioner of Health and Human Services;
    - C. The Commissioner of Education; and
  - D. The following members appointed by the Commissioner of Corrections:
    - (1) The Department of Corrections, director of women's services;
    - (2) The Department of Corrections, chief administrative officer of the Bolduc Correctional Facility;
    - (3) The Department of Corrections, chief administrative officer of the Mountain View Correctional Facility;
      - (4) The Department of Corrections, director of community corrections;
  - (5) The Department of Corrections, manager of evidence-based practices;
    - (6) A representative of a civil rights organization with a primary mission to advance racial justice;
      - (7) A representative of an organization with a primary mission to advance the reentry of prisoners into the community;
      - (8) A representative of an interfaith-based organization;
    - (9) A representative of a prisoner advocacy organization;
    - (10) A representative of a domestic violence or sexual assault organization; and
- 38 (11) A representative of a housing advocacy organization.

- Chairs; volunteer service. The steering committee must be cochaired by the Department of Corrections' director of community corrections and a member of the steering committee who represents an organization not affiliated with the Department of Corrections or any state agency. Members of the steering committee serve in a volunteer capacity and are not entitled to reimbursement for expenses or per diem reimbursement. Designees named by members may participate in steering committee meetings if the members are unable to participate.
   Duties. The duties of the steering committee include the following:
  - A. Conduct an assessment of community resources within the State, including housing, behavioral health treatment, vocational training, educational opportunities and educational programming;
  - B. Review current law and rules related to application for and participation in the supervised community confinement program;
  - C. Review the policies and procedures and case management policies and procedures of the Department of Corrections related to prisoner reentry into the community;
  - D. Review available housing and reentry support services;
  - E. Make recommendations to the Commissioner of Corrections for supervised community confinement program enhancements; and
  - F. Review and make recommendations for training on gender-responsive practices, implicit bias and racial equity related to reentry.'
- Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

23 SUMMARY

This amendment is the minority report of the committee. The amendment updates the language in the bill to reflect changes made in the First Regular Session of the 129th Legislature and adds a requirement that the Department of Corrections establish a steering committee focused on assessing and examining the supervised community confinement program and reentry policies, practices and procedures.



## 129th MAINE LEGISLATURE

LD 1756

LR 406(06)

An Act To Improve Public Safety through Coordinated Reentry of Prisoners into the Community

Fiscal Note for Bill as Amended by Committee Amendment " "
Committee: Criminal Justice and Public Safety
Fiscal Note Required: Yes

## **Fiscal Note**

Minor cost increase - General Fund

## **Fiscal Detail and Notes**

Any additional costs to the departments whose commissioners or their designees are required to serve on the steering committee on supervised communty confinement are assumed to be minor and can be absorbed within existing budgeted resources.