

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 696

H.P. 508

House of Representatives, March 4, 2021

An Act To Prohibit Solitary Confinement in Maine's Corrections System

Received by the Clerk of the House on March 2, 2021. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative LOOKNER of Portland.

Cosponsored by Representatives: MORALES of South Portland, RECKITT of South Portland, TALBOT ROSS of Portland, WARREN of Hallowell, Senator: CHIPMAN of Cumberland.

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

2 **Sec. 1. 30-A MRSA §1566** is enacted to read:

3 **§1566. Solitary confinement prohibited**

4 A jail may not impose solitary confinement on a prisoner. For purposes of this section,
5 "solitary confinement" has the same meaning as in Title 34-A, section 1001, subsection
6 17-A.

7 **Sec. 2. 34-A MRSA §1001, sub-§17-A** is enacted to read:

8 **17-A. Solitary confinement.** "Solitary confinement" means the segregation of a
9 prisoner during which the prisoner has contact with another person less than 3 times per
10 24-hour period.

11 **Sec. 3. 34-A MRSA §3032, sub-§2-A** is enacted to read:

12 **2-A. Solitary confinement.** Solitary confinement may not be imposed.

13 **Sec. 4. 34-A MRSA §3032, sub-§3, ¶E,** as enacted by PL 1983, c. 459, §6, is
14 amended to read:

15 E. If a person is held in segregation ~~or solitary confinement~~ for more than 5 days, the
16 chief administrative officer shall send a report of the confinement to the commissioner,
17 giving the reasons for the confinement.

18 **SUMMARY**

19 This bill prohibits solitary confinement in jails and prisons in the State. It defines
20 "solitary confinement" to mean that a prisoner is segregated and has contact with another
21 person less than 3 times a day.