

# MAINE STATE LEGISLATURE

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SAC  
ROS

L.D. 1897

Date: 3-23-22

(Filing No. H-827)

MINORITY

CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
130TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1404, L.D. 1897, "An Act To Prevent the Use of Prone and Supine Restraints, Chemical Sprays and Electroshock Devices on Juveniles Held in Department of Corrections Facilities"

Amend the bill by striking out the title and substituting the following:

'An Act To Prevent the Use of the Long Creek Youth Development Center for the Detention or Confinement of Juveniles'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 34-A MRSA §3802-A is enacted to read:

§3802-A. Restrictions on facility use

Notwithstanding any provision of law to the contrary, beginning October 1, 2025, the Long Creek Youth Development Center may not be used for the detention or confinement of juveniles detained in the custody of the department or adjudicated as having committed juvenile crimes and committed to the department, including, but not limited to, for any of the uses described in section 3802, subsection 1.

The restrictions in this section do not prevent the use of any building or facility at or associated with the Long Creek Youth Development Center for a purpose other than the detention or confinement of juveniles.

**Sec. 2. Report.** On or before January 15, 2024, the Department of Corrections shall submit to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters a report that includes any recommendations, including suggested legislation, necessary to ensure compliance with the requirements of the Maine Revised Statutes, Title 34-A, section 3802-A. The report must include, but is not limited to, recommendations for amendments to Title 34-A, chapter 3, subchapter 5 or other related statutes necessitated by the change in use of the Long Creek Youth Development Center facility pursuant to Title 34-A, section 3802-A, transition plans for any juveniles confined at the facility, a workforce development plan for facility staff, options for the repurposing

COMMITTEE AMENDMENT

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1 of the facility for noncorrectional purposes and recommendations for the repurposing of  
2 facility funding to support community integration services and other services for juveniles.  
3 After reviewing the report, the joint standing committee may report out legislation relating  
4 to the report to the 131st Legislature in 2024.'

5 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
6 number to read consecutively.

7 **SUMMARY**

8 This amendment, which is the minority report of the committee, changes the title of  
9 and replaces the bill. It amends the law governing the Long Creek Youth Development  
10 Center to provide that, notwithstanding any provision of law to the contrary, beginning  
11 October 1, 2025, that facility may not be used for the detention or confinement of juveniles  
12 detained in the custody of the Department of Corrections or adjudicated as having  
13 committed juvenile crimes and committed to the department. It requires that, on or before  
14 January 15, 2024, the Department of Corrections submit to the joint standing committee of  
15 the Legislature having jurisdiction over criminal justice and public safety matters a report  
16 that includes any recommendations, including suggested legislation, necessary to ensure  
17 compliance with that restriction in the use of the facility. The report must include, but is  
18 not limited to, recommendations for statutory amendments necessitated by the change in  
19 the use of the facility, transition plans for any juveniles confined at the facility, a workforce  
20 development plan for facility staff, options for the repurposing of the facility for  
21 noncorrectional purposes and recommendations for the repurposing of facility funding to  
22 support community integration services and other services for juveniles. After reviewing  
23 the report, the joint standing committee may report out legislation relating to the report in  
24 2024.

25 **FISCAL NOTE REQUIRED**  
26 (See attached)



# 130th MAINE LEGISLATURE

LD 1897

LR 2251(02)

## An Act To Prevent the Use of Prone and Supine Restraints, Chemical Sprays and Electroshock Devices on Juveniles Held in Department of Corrections Facilities

Fiscal Note for Bill as Amended by Committee Amendment *A. (H-827)*

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

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### Fiscal Note

Potential Future Impact - General Fund

#### Fiscal Detail and Notes

While there could be significant cost savings after October 1, 2025 from no longer using the Long Creek Youth Development Center for detention or confinement of juveniles, it will not be known until a report is prepared and implemented where such juveniles will be detained after that date and what future costs will be associated with an alternative to Long Creek and for the use of the facility. Future legislation implementing these decisions will reflect that fiscal impact.

Additional costs to the Department of Corrections associated with preparing a report can be absorbed within existing budgeted resources.