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No. 1301

H.P. 826

House of Representatives, March 23, 2023

An Act Regarding Transition Coordination, Prisoner Attendance at Funerals, Furloughs, Visitation, Education and Discretionary Accounts at County Jails

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

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative COLLINGS of Portland.

1	Be it enacted by the People of the State of Maine as follows:
2	Sec. 1. 30-A MRSA §1511 is enacted to read:
3	<u>§1511. Transition coordinator</u>
4 5	<u>1. Transition coordinator required.</u> Except as provided by subsection 2, a county jail shall employ a transition coordinator to perform the duties described in this section.
6 7 8	2. Sharing of transition coordinator. Two or more counties may agree to share the costs of hiring a transition coordinator, who shall perform the duties described in this section for each of the counties that are parties to the agreement.
9 10 11	3. Duties. The transition coordinator shall create a transition plan for each inmate scheduled for release. The transition plan must use available resources to address the following issues, as applicable to the inmate scheduled for release:
12	A. Seasonally appropriate clothing, including a winter coat;
13	B. Transportation;
14	C. Temporary housing:
15	D. Substance use disorder treatment;
16	E. Money for initial expenses; and
17	F. Any other issue for which the inmate to be released needs support.
18 19 20	Sec. 2. 30-A MRSA §1555, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:
21	§1555. Prisoners may attend funerals
22 23 24 25 26	Prisoners at the county jails may, at the discretion of the sheriff, attend funerals of their legally considered mother, father, husband, wife or child if the funeral is held within the State. Prisoners must pay the cost of transportation and the fee and expenses of the officer who takes them to the funeral. Each county jail shall adopt a written policy regarding approval for prisoner attendance at funerals, including appropriate exceptions.
27 28	Sec. 3. 30-A MRSA §1556, sub-§1, as amended by PL 2021, c. 211, §1, is further amended to read:
29 30 31 32 33 34 35 36 37 38	1. Furlough authorized. The sheriff may establish rules, including appropriate exceptions, for and permit a prisoner under the final sentence of a court a furlough from the county jail in which the prisoner is confined. Furlough may be granted for not more than 7 days at one time in order to permit the prisoner to visit a dying relative, to obtain medical services, to participate in a program operated by a jail that conditions release on regular daily reporting to the jail of the prisoner's location and activities or for any other reason consistent with the rehabilitation of an inmate or prisoner that is consistent with the laws or rules of the sheriff's department. Furlough may be granted for a period longer than 7 days if required to provide treatment for a physical or mental condition of the prisoner, including a substance use disorder, as determined by a qualified licensed professional.

Sec. 4. 30-A MRSA §1556, sub-§2, as enacted by PL 1987, c. 737, Pt. A, §2 and
 Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further
 amended to read:

2. Copy of rules provided to prisoner. Any prisoner permitted furlough from the county jail under this section shall <u>All prisoners must</u> be furnished a copy of the rules of the county jail applicable to the furlough <u>furloughs</u>. The <u>A</u> prisoner must attest to receiving the copy.

8 Sec. 5. 30-A MRSA §1556-A, first ¶, as enacted by PL 2019, c. 76, §1, is amended
 9 to read:

Except as otherwise provided in this section, and subject to any conditions and limitations required for the safety and security of a county jail as determined on a case-bycase basis by a written policy of the sheriff of the county jail, the sheriff shall provide for in-person visitation between a prisoner and a visitor of the prisoner <u>no less than once per</u> week.

Sec. 6. 30-A MRSA §1653, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C,
§106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further
amended to read:

18 §1653. Bible, books and instruction for prisoners

The jailer, at the county's expense, shall have available to each prisoner who is able to read a copy of the Bible, and to all, on Sundays, such religious instruction as may be obtained without expense, and to those who may be benefited hereby,. The State shall provide instruction in reading, writing and arithmetic one hour every evening except on Sunday. The jailer shall receive for their use from whatever source, by loan or contribution, any books or literature of a moral or religious tone and exclude those of opposite tendencies.

- 26 Sec. 7. 30-A MRSA §1663 is enacted to read:
- 27 §1663. Prisoner accounts

A county jail that maintains prisoner accounts containing money to be used within the county jail for optional items and services shall create a fund to provide money in accounts for indigent prisoners. Money for this fund may be from gifts, grants and donations to the county jail for that purpose or from an option for released prisoners to donate the balance of an account to the fund on release.

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SUMMARY

34 This bill requires county jails to employ a transition coordinator who is responsible for 35 creating a transition plan for each inmate scheduled for release. The bill requires county jails to have a written policy regarding prisoner leave for funerals, to provide all prisoners 36 37 with a copy of the rules of the jail applicable to furloughs and to have a written policy 38 regarding once-per-week visitation for prisoners and requires a county jail that maintains 39 prisoner accounts containing money to be used within the county jail for optional items and 40 services to create a fund to provide money in accounts for indigent prisoners. The bill 41 requires the State to pay for certain prisoner education programs.