

Date: (Filing No. H-)

CRIMINAL JUSTICE AND PUBLIC SAFETY

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 972, L.D. 1414, Bill, “An Act To Ensure the Availability of In-person Visitation in County Jails”

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

'Sec. 1. 30-A MRSA §1556-A is enacted to read:

§1556-A. Visitation

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-by-case basis by the sheriff of the county jail, the sheriff shall provide for in-person visitation between a prisoner and a visitor of the prisoner.

1. Video-only visitation. Upon a determination by the sheriff of a county jail that in-person visitation between a particular prisoner and a visitor of the prisoner may jeopardize the safety and security of the jail, the sheriff may restrict that prisoner to video-only visitation. Upon a determination by the sheriff that the jail facility is unable to provide a safe and secure location for any in-person visitation, the sheriff, on a short-term basis only, may restrict all visitation at the jail to video-only visitation.

2. Contact visitation. Subject to any conditions and limitations required for the safety and security of a county jail as determined on a case-by-case basis by the sheriff, the sheriff shall provide opportunities for in-person visitation involving physical contact between a prisoner and a visitor of the prisoner, unless the sheriff determines that the jail facility is unable to provide a safe and secure location for any in-person visitation involving physical contact.'

SUMMARY

This amendment, which is the majority report of the committee, replaces the bill, which is a concept draft. It requires the sheriff of a county jail to provide for in-person visitation between a prisoner and a visitor of the prisoner, subject to any conditions and

COMMITTEE AMENDMENT

1 limitations required for the safety and security of the jail as determined on a case-by-case
2 basis by the sheriff. The amendment authorizes a sheriff to restrict a particular prisoner
3 to video-only visitation upon a determination that allowing in-person visitation for that
4 prisoner may jeopardize the safety and security of the jail. The amendment also requires
5 the sheriff to provide opportunities for in-person visitation involving physical contact
6 between a prisoner and a visitor of the prisoner, subject to any conditions and limitations
7 required for the safety and security of the jail as determined on a case-by-case basis by
8 the sheriff.