

## Notice of Agency Rulemaking Adoption

**AGENCY:** 03-201 Maine Department of Corrections

**CHAPTER NUMBER AND TITLE:** Ch. 1, Detention and Correctional Standards for Maine Counties and Municipalities

**ADOPTED RULE NUMBER:** **20xx.xxx**  
(LEAVE BLANK - ASSIGNED BY SECRETARY OF STATE)

### CONCISE SUMMARY:

The following are the adopted amendments, which are expected to improve jail security operations, enhance inmate safety, provide for better care and treatment of inmates, especially transferred inmates, and help jails better manage their population numbers:

Standard C.12. clarifies that a count requires the observation of living breathing flesh and that staff performing a count must immediately notify their supervisor if they do not observe that or if an inmate is missing.

Standard D.3. adds that staff supervising inmates must notify their supervisor and take immediate action to protect an inmate's safety if the inmate is not responsive.

Standards J.2. and J.4. allow a jail to contract with a third party vendor to process and deliver incoming mail, other than legal mail, when there are safety concerns related to the introduction of contraband by incoming mail and to allow extra time for the delivery of incoming mail, other than legal mail.

Standard K.16 requires that a jail which is proposing to transfer an inmate to another detention or correctional facility or to a state psychiatric facility, or which has transferred an inmate, provide to the receiving facility a summary of treatment and care that has been provided in the jail, including any court paperwork related to treatment, and to require that additional information be provided upon request.

Standard K.19 requires that reports of inmate participation in medication-assisted treatment be submitted to the Department of Corrections on a quarterly basis using the reporting form required by the Department.

Standard P.9 sets out the criteria for determining a jail's rated capacity.

Standard P.31 cautions against a jail exceeding its rated capacity and suggests that certain steps be considered if a jail exceeds or is at risk of exceeding its rated capacity.

Standard P.32 prohibits a jail from refusing to accept an arrested individual except as set out in Standard E.2. (which relates to a person who is unconscious or shows sign of or complains of other serious injury or wounds).

**EFFECTIVE DATE:**  
(TO BE FILLED IN BY SECRETARY OF STATE)

**AGENCY CONTACT PERSON:** Mary Lucia

**AGENCY NAME:** Maine Department of Corrections

**ADDRESS:** 111 State House Station  
Augusta, Maine 04333

**TELEPHONE:** (207) 530-0983