§1651. Examination of jails; board of visitors

1. Examination. At the commencement of each session required by law, the county commissioners shall examine the jail in their county and take necessary precautions for the security of prisoners, for the prevention of infection and sickness and for the accommodations of the prisoners. [PL 2003, c. 482, Pt. A, §1 (NEW).]

2. Appointment. The sheriff for each county shall appoint a board of 7 visitors for each jail or other county correctional facility under the sheriff's supervision.

A. Members of the boards of visitors serve for terms of 3 years. [PL 2023, c. 383, §1 (AMD).]

B. Members of the boards of visitors are eligible for reappointment at the expiration of their terms. The boards of visitors must be representative of a broad range of professionals, family members and citizens interested in the well-being of prisoners, including representatives of advocacy groups for human and civil rights, medical and psychiatric professionals, persons who have served in corrections settings and other interested citizens. One member of each board of visitors must be a person with knowledge of issues related to the incarceration of women. One member of each board of visitors must be a woman who has been incarcerated in the State and who has prior child welfare experience with the Department of Health and Human Services, Office of Child and Family Services. One member of each board of visitors must have experience in the field of mental or behavioral health. [PL 2023, c. 383, §1 (AMD).]

C. A member of the Legislature or an employee of a sheriff's department may not serve on a board of visitors. [PL 2023, c. 383, §1 (AMD).]

D. The sheriffs of 2 or more counties, at their discretion, may appoint a joint board of visitors of 7 or more members. [PL 2021, c. 620, §3 (AMD).]

[PL 2023, c. 383, §1 (AMD).]

3. Powers.

[PL 2023, c. 383, §1 (RP).]

4. Duties. Boards of visitors have the following duties.

A. Each board of visitors shall inspect the jail or other county correctional facility to which it is assigned. Each board of visitors must be provided open access to all physical areas of the jail or other county correctional facility, including access to areas housing prisoners. Each board of visitors must be provided the opportunity to speak to prisoners and to staff. Members of the board of visitors shall comply with all sheriff's office policies and procedures and security practices regarding access to the jail or other county correctional facility, shall adhere to all federal and state laws regarding confidentiality and shall refer concerns or complaints regarding specific individuals to the jail administrator or advocate or other county correctional facility administrator or advocate. [PL 2023, c. 383, §1 (NEW).]

B. Each board of visitors shall make recommendations to the sheriff regarding services or treatment for prisoners who have mental health challenges or are mentally ill. [PL 2023, c. 383, §1 (NEW).]

C. Each board of visitors shall review the management of the jail or other county correctional facility to which it is assigned to determine whether that management is consistent with the philosophy, mission and policy goals of the sheriff's office and facility. On or before February 15th of each calendar year, each board of visitors shall prepare an annual report including its recommendations and shall provide copies of its report to the jail administrator, the county correctional facility administrator, the county commissioners and the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters. The sheriff shall provide copies with the sheriff's response to the reports to the joint standing committee of the

Legislature having jurisdiction over criminal justice and public safety matters within one month of receiving the annual reports. [PL 2023, c. 383, §1 (NEW).]

D. Each board of visitors shall appear before the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters upon request. [PL 2023, c. 383, §1 (NEW).]

E. Each board of visitors shall meet regularly and tour the jail or other county correctional facility to which it is assigned at least 4 times a year. At each meeting, a board of visitors may request and must receive information from the jail administrator or a county correctional facility administrator that the board determines will assist in the review of the management of the jail. To the extent that a board of visitors is not discussing matters made confidential by federal or state law, a meeting of the board is a public proceeding and must be conducted in accordance with Title 1, section 403. Boards of visitors may meet jointly. [PL 2023, c. 383, §1 (NEW).]

F. Each board of visitors shall share copies of that board's annual report with each other board of visitors appointed pursuant to this section. [PL 2025, c. 345, §1 (AMD).]

[PL 2025, c. 345, §1 (AMD).]

5. Orientation and training. A board of visitors must receive annual training, including:

A. Facilities orientation, including a tour of the jail or other county correctional facility to which the board of visitors is assigned, explanation of the facility command structure and receipt of the Department of Corrections' publication regarding detention and correctional standards for Maine counties and municipalities, facility prisoner handbooks, volunteer policies and board of visitors policies; [PL 2023, c. 383, §1 (NEW).]

B. Review of the federal Americans with Disabilities Act of 1990 and guidance concerning domestic violence, substance use disorder including opioids, behavioral health and adverse childhood trauma; [PL 2023, c. 383, §1 (NEW).]

C. A list and explanation of available community resources; [PL 2023, c. 383, §1 (NEW).]

D. The legal requirements of this section; and [PL 2023, c. 383, §1 (NEW).]

E. Training on any other subject as determined by the sheriff or chair of the board of visitors. [PL 2023, c. 383, §1 (NEW).]

[PL 2023, c. 383, §1 (NEW).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD). PL 2003, c. 482, §A1 (RPR). PL 2021, c. 620, §3 (AMD). PL 2023, c. 383, §1 (AMD). PL 2025, c. 345, §1 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 132nd Maine Legislature and is current through October 1, 2026. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.