

MAINE STATE LEGISLATURE

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CHAPTER 7

**ESCAPE, REMOVAL, EXAMINATION AND
TRANSFER OF INMATES**

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§ 131. Rewards; department

The department shall take all proper measures for the apprehension and return of any prisoner or inmate of a state penal or correctional institution and may offer a reward of not more than \$100 for the apprehension and return of any such prisoner or inmate who has escaped from the control of the department. Upon satisfactory proof that the terms of the offer have been complied with, the reward shall be paid by the State.

R.S.1954, c. 27, § 9; 1957, c. 387, § 3.

§ 132. —Governor

Whenever a prisoner convicted of or charged with a capital crime or other high offense escapes from prison; or there is reasonable cause to believe that a person who is charged with such offense and has not been apprehended therefor cannot be arrested and secured in the ordinary course of proceedings, the Governor may, upon application in writing of the Attorney General or county attorney for the county in which such offense was committed, and upon such terms and conditions as he deems expedient and proper, offer a suitable reward, not exceeding \$1,000, for the arrest, return and delivery into custody of such escaped prisoner or fugitive from justice; and upon satisfactory proof that the terms and conditions of such offer have been complied with, he may, with the advice and consent of the Council, draw his warrant upon the Treasurer of State for the payment thereof.

R.S.1954, c. 149, § 51.

§ 133. Aiding escape

Whoever induces, aids or abets anyone committed to any state institution in escaping therefrom or from the custody of the Department of Mental Health and Corrections or the Department of Health and Welfare or who knowingly aids, harbors or conceals in any way anyone who has escaped therefrom, or who elopes with or marries a female committed to the custody of the said departments or any state institution without the consent of the department in custody of the person shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 11 months, or by both.

It shall be the duty of any sheriff, deputy sheriff, constable, police officer or other person finding any fugitive from any of said institutions at large to apprehend them without a warrant and return said fugitive to the institution from which the escape was made or to any officer or agent of the department. Such officer shall be paid a reasonable compensation by the State for his services.

R.S.1954, c. 27, § 10; 1959, c. 360, § 2.

§ 134. Removal for contagious disease

If a pestilence or contagious disease breaks out among the inmates of any state institution or county jail, the department may cause any of the said inmates to be removed to some suitable place of security where they shall receive all necessary care and medical attention and be returned as soon as may be to the place from whence they were removed, to be there confined according to their sentences if unexpired.

R.S.1954, c. 27, § 11.

§ 135. Physical and mental examination of inmates

The department may require a physical and mental examination of persons committed to any state penal or correctional institution or training center for juvenile offenders. It shall designate competent examiners employed by the department or who may be employed by the department to conduct such examinations.

The department, upon the recommendation of the warden of the Maine State Prison, or the superintendents of the state correctional institutions and training centers for juvenile offenders, may transfer any person in any of the said institutions to either of the hospitals for the mentally ill in the department for observation and study of his mental condition if his conduct in any of the

said institutions indicates such need. Children in the training centers for juvenile offenders under the age of 16 at time of need for such transfer shall be transferred to the Pineland Hospital and Training Center. Such transfers can be for any period of time up to 30 days and shall not exceed 30 days without a request for an extension for a further 30-day period. Thereafter, the person must be returned to the institution from which he was transferred, or transferred under section 136 to said hospital for treatment.

R.S.1954, c. 27, § 12; 1961, c. 304, § 6.

§ 136. Transfer to other institution; original sentence continues

Any person who is committed to a state penal or correctional institution or to a training center for juvenile offenders and is under the control of the department, who in the opinion of the head thereof becomes mentally ill, or who is found to be mentally ill by the examination authorized by section 135, shall be transferred to either of the state hospitals, except those children in the training centers who are under 16 years of age who shall be transferred to the Pineland Hospital and Training Center, and any person who is committed to a state penal or correctional institution or to a training center for juvenile offenders and is under the control of the department, who in the opinion of the head thereof is in such condition that he or she is a fit subject for the Pineland Hospital and Training Center, shall be transferred to the Pineland Hospital and Training Center whenever, in the judgment of the commissioner, the welfare of the patients and inmates, or of either institution, or of the person will be promoted thereby. A copy of the certificate of original commitment certified by the head of the institution in which said person is confined and a certificate from a regular practicing physician in the State certifying that the person committed is feeble-minded or mentally ill as the case might be, with an order of transfer signed by the commissioner shall authorize the superintendent of the institution to receive and detain the said person.

Such patient shall be there detained in custody in the same manner as if he or she had been committed thereto originally. The transfers authorized in this section and section 135 shall have no effect on the original sentences which shall continue to run, and if the original sentence has not expired when the patient has been declared ready for discharge or release, the patient shall be returned to the institution to which he or she was originally committed. If prior to the expiration of the original sentence it is

the opinion of the head of the institution which has charge of the patient that the patient should remain in the custody of the institution after the expiration of such sentence, the patient may be recommitted to either of the state hospitals upon complaint of the head of the institution which has charge of the patient under sections 2291, 2331, 2332 or 2334; or to the Pineland Hospital and Training Center under section 2152.

The expense attending such transfers shall be paid from funds available for the use of the institution from which or to which such person is transferred.

R.S.1954, c. 27, § 13; 1957, c. 21, § 2; 1959, c. 242, § 8; 1961, c. 303, § 5; c. 304, § 7; 1963, c. 351, § 9.

§ 137. Tubercular inmates to sanatoriums

Inmates of the State Prison or any other state institution afflicted with tuberculosis may be transferred to state sanatoriums. Whenever any inmate of the State Prison or of any other state institution shall become afflicted with tuberculosis so that the welfare of such inmate or the safety of the other inmates of such institution shall require removal therefrom, the department, with the approval of the Governor, may cause him or her to be removed to one of the state sanatoriums, to be there kept and treated until he or she may safely be returned to said prison or other institution. In the admission of new patients the officers of such sanatoriums shall give preference to persons transferred under this section.

R.S.1954, c. 27, § 14.

§ 138. Cost of transportation

The cost of committing and transporting a girl to or from the Stevens Training Center, or a boy to or from the Boys Training Center, or of a person to or from the Pineland Hospital and Training Center, or of a woman to or from the Reformatory for Women, or of a man to or from the Reformatory for Men, shall, when not otherwise provided for, be paid from the treasury of the county from which such person is committed as the costs of conveying prisoners to the jails are paid. The county commissioners of such county shall examine and allow all such reasonable costs.

In cases where a woman attendant is required or used the fees to be paid shall be the same as those provided for aids in criminal cases and when not otherwise provided for shall be audited by the county commissioners and paid from the county treasury.

R.S.1954, c. 27, § 16; 1957, c. 21, § 2; 1961, c. 395, § 19.