

MAINE STATE LEGISLATURE

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CHAPTER 67

WOMEN'S REFORMATORY

Sec.

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§ 851. Maintenance; age groups

The State shall maintain a reformatory in which all women over the age of 16 years and under the age of 40 years who have been adjudicated juvenile offenders, or who have been convicted of or have pleaded guilty to crime in the courts of the State or of the United States, and who have been duly sentenced and removed thereto, shall be imprisoned and detained in accordance with the sentences or orders of said courts and the rules and regulations of said reformatory. The head of the reformatory shall be a woman and be called the superintendent.

R.S.1954, c. 27, § 52; 1959, c. 342, § 3.

§ 852. Prisoners; quarters; rules

The department shall maintain quarters at the Reformatory for Women for the incarceration of all women sentenced to the State Prison.

All women sentenced to the State Prison shall be transmitted directly from the place of sentence to said reformatory and serve their sentences at said reformatory and shall be subject to all rules governing persons sentenced to the State Prison.

R.S.1954, c. 27, § 53.

§ 853. Commitment; length of sentence; woman attendant in serving mittimus

When, before any court having jurisdiction, a woman over the age of 16 years and under the age of 40 years is adjudicated a juvenile offender or is convicted of an offense punishable by imprisonment in the State Prison, or in the county jail, or in any house of correction, such court may order her commitment to the Reformatory for Women, or sentence her to the punishment provided by law for the same offense.

When a woman is sentenced to the Reformatory for Women the court imposing the sentence shall not fix the term of commitment to the reformatory. The duration of the commitment, including time spent on parole, may not exceed 3 years. Upon commitment of such woman, if the officer to whom the mittimus or order of commitment is addressed is not a woman, the judge shall in all cases when feasible designate a woman to be an attendant to accompany her to said reformatory.

R.S.1954, c. 27, § 54; 1957, c. 387, § 5; 1959, c. 342, § 4; 1963, c. 402, § 42.

§ 854. Indefinite sentence not void

If, through oversight or otherwise, any person is sentenced to imprisonment in the Reformatory for Women for a definite period of time, said sentence shall not for that reason be void, but the person so sentenced shall be entitled to the benefit, and subject to the liabilities of this chapter, in the same manner and to the same extent as if the sentence had been in the terms required by section 853. In such case the superintendent shall deliver to such offender a copy of said chapter.

R.S.1954, c. 27, § 55.

§ 855. Record of commitments

The judge committing a woman to the reformatory shall cause the superintendent to be immediately notified of such commitment, and shall cause a record to be kept of the name, age, birthplace, occupation, previous commitments, if any, and for what offense, the last place of residence of such woman and the particulars of the offense for which she is committed. A copy of such record shall be transmitted with the warrant of commitment to the superintendent of such institution, who shall cause the facts stated therein and such other facts as may be directed

by the department to be recorded in such form as the department shall determine.

R.S.1954, c. 27, § 56.

§ 856. Age determined and stated in mittimus

Such judge shall, before committing any such woman, inquire into and determine the age of such woman at the time of her commitment, and her age as so determined shall be stated in the mittimus. The statement of the age of such woman in such mittimus shall be conclusive evidence as to such age in any action to recover damages for her detention or imprisonment under such mittimus, and shall be presumptive evidence thereof in any other inquiry, action or proceeding relating to such detention or imprisonment.

R.S.1954, c. 27, § 57.

§ 857. Care of children of women committed

If any woman committed to said reformatory is, at the time of her commitment, pregnant with child which shall be born after such commitment, the department may commit such child to the care and custody of some relative or proper person willing to assume such care, or such child may be committed to the custody of the Department of Health and Welfare under Title 22, section 3792. If such woman, at the time of such commitment, shall be the mother of and have under her exclusive care, any child, which might be otherwise left without proper care or guardianship, the judge committing such woman shall cause such child to be committed to such asylum as may be provided by law for such purposes, or to the care and custody of some relative or proper person willing to assume such care or to the custody of the Department of Health and Welfare. Any commitment of a child under this section to the custody of any asylum for children or to any relative or other person, or to the Department of Health and Welfare shall be subject to Title 22, sections 3793 to 3795.

R.S.1954, c. 27, § 58; 1959, c. 60.

§ 858. Apprehension of escapees

If a woman escapes from the reformatory, the superintendent may order her to be rearrested and returned to the reforma-

tory by any officer of the reformatory or other law enforcement officer in the State authorized to make arrests.

R.S.1954, c. 27, § 59; 1957, c. 387, § 6.

§ 859. Escape of inmate; penalty

Any woman lawfully committed to said reformatory who escapes therefrom shall be punished by additional imprisonment in said reformatory for not more than 11 months for each such offense. Prosecution under this section may be instituted in any county in which said woman may be arrested or in the County of Somerset, but in such case the costs and expense of trial shall be paid by the county from which said woman was originally committed, and payment enforced as provided in section 860.

R.S.1954, c. 27, § 61; 1957, c. 387, § 8.

§ 860. Expense of trial for crime committed by inmate

Whenever any inmate of the Reformatory for Women, not having been sentenced thereto by the court of the county wherein such Reformatory for Women is situated, shall be convicted in such county of any misdemeanor or felony committed while an inmate of the said reformatory, the costs and expenses of trying such convicted inmate and of her maintenance after conviction and sentence, if to the county jail of such county, shall be paid by the county from which the said convicted inmate was originally sentenced. The costs and expenses of the trial of such convicted inmate shall, in the first instance, be paid by the county wherein such Reformatory for Women is situated, and the commissioners thereof may thereupon draw their warrant upon the treasurer of the county, from which said convicted inmate was sentenced to the reformatory, for the amount so paid by the said county wherein such reformatory is situated for said costs and expenses, and the treasurer upon whom said warrant may be drawn shall pay it forthwith.

R.S.1954, c. 27, § 62.

§ 861. Incurrigibles; trial and sentence; discharge from reformatory

Any person committed to the Reformatory for Women whose presence therein may be seriously detrimental to the well-being of the institution or who willfully and persistently refuses to obey the rules and regulations of said institution, may be

deemed and declared an incorrigible. When complaint is made to the proper officer of the District Court having jurisdiction, said court may upon hearing bind over any person so accused to the term of the Superior Court next to be holden within such county, and if indictment is returned therefor, then, upon conviction, said incorrigible may be sentenced to the State Prison for not less than one year, nor more than 5 years. Upon conviction as such incorrigible and sentence, said person shall be discharged from said reformatory and be relieved from serving the balance of sentence in said reformatory.

R.S.1954, c. 27, § 64; 1963, c. 402, § 43.

§ 862. Transfers from other penal institutions

Upon petition of the department asking for the transfer to the Reformatory for Women of any woman serving sentence in any county jail or in any house of correction, presented to the court having imposed sentence, the judge shall set a time for hearing, giving at least 48 hours' notice to said woman, and shall notify the custodian of said woman to bring said woman before him for hearing. After hearing, said judge may order said woman transferred to the Reformatory for Women to serve the remainder of the term of sentence under which said woman was committed to the county jail or house of correction. The provisions of this chapter in regard to original commitments to the reformatory shall apply to any transfer under this section, but in no case shall the time of sentence to be served in the reformatory exceed the remaining time of the sentence originally imposed. A woman transferred under this section shall be subject to the provisions of this chapter relating to the reformatory and to the same rules and regulations as inmates originally committed to the reformatory.

R.S.1954, c. 27, § 65; 1963, c. 402, § 44.