

MAINE STATE LEGISLATURE

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23rd February 1915

To Hon. J. C. Scates, Council Chamber
Re: Parole

. . . The first section of the parole law provides that prisoners in the State Prison on the date of the passage of the act who have never before been convicted of felony may be paroled in the same manner as prisoners confined under indeterminate sentences under the provisions of this act. Section 6 of the law provides that prisoners sentenced under the act of 1913 shall be eligible to parole unless they have twice been convicted of felony. The law makes the distinction between those sentenced under the old law and those sentenced under the new law. Whether that distinction ought to be made or not, I do not know but I do not regard it as accidental. I think the distinction was intentionally made and I presume the reason for it was this: Under the old law, when the Judge sentenced a man for a term he supposed the prisoner would serve the entire term, hence more moderate sentences were given than they give under the new law where the Judge fixes the maximum sentence with the expectation that the prisoner will serve only one-half of the sentence given. I imagine that because of this difference in the probable terms of sentence, the authors of the law felt that parole only ought to be extended to that class of prisoners who were under sentence at the time the new law was passed, which was apparently the most deserving class.

In regard to the suggestion that the term "life" could have a definite meaning, such as, for instance, forty years, it is obvious that to enact such a provision of law would be to abolish life sentence, -to make the maximum punishment for murder imprisonment for forty years, which would be reduced to twenty years by good behaviour on the part of the prisoner. I do not know of any civilized community which punishes murder with any less punishment than life imprisonment and I do not believe that it would be for the interests of society to reduce the punishment for murder below that point. In fact, I have no doubt but that the frequency with which murders are committed in Maine is pretty largely due to the ease with which pardons are procured for murderers. Personally I should oppose any arrangement under which prisoners sentenced for life could be liberated or paroled.

William R. Pattangall
Attorney General