

# MAINE STATE LEGISLATURE

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January 2, 1945

To Harrison C. Greenleaf, Commissioner of Institutional Service  
From Abraham Breitbard, Deputy Attorney General

In answer to your memo of December 15th relative to the bulletin issued by the Director of Selective Service concerning prisoners who are determined by the "Special Panel Local Board" to be fit for induction into the armed forces and who have been reclassified in 1-A, on their application to be so inducted:

Please be advised that compliance with the bulletin to transport such prisoners from the prison to the induction station for pre-induction physical examination within sixty days of the date that each becomes eligible for parole or discharge and in the manner therein provided cannot be had, since there is no authority to take a prisoner out of the State Prison where, under the statute, he must be detained and confined, other than where the statute expressly permits it for certain purposes (employment on public highways or other public works. R. S. 1944, Chapter 23, §22.) or on an order of a court of competent jurisdiction to bring the prisoner before it.

We think that specific legislation for this purpose will be necessary. In addition, specific legislation will be necessary to allow the Parole Board to "terminate or suspend civil custody" when the parole is granted, as the statute does not permit the Parole Board to relinquish control over the prisoner while he is on probation and before he is finally discharged from probation.

AB:c

cc: Warden John H. Welch