

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE

R E P O R T

OF THE

ATTORNEY GENERAL

for the calendar years

1949 - 1950

assistant probation officer, and the county commissioners for that county shall pay the probation officer a salary of \$2400 and the assistant probation officer \$1800 annually; and in that county they are entitled to select a clerk for the probation office and the county commissioners of Androscoggin must appropriate \$1456 annually for such clerk hire and provide suitable quarters in the county building for this office.

I advised Jack that the statute would have to be amended before the Governor and Council could appoint an assistant probation officer in Washington County, as the present statute does not authorize any county to have more than one probation officer except Cumberland and Androscoggin; Cumberland is expressly exempted from the provisions of this statute. That county has probation and assistant probation officers appointed by the Judge of the Municipal Court in Portland and approved by a Justice of the Superior Court residing in Cumberland County or by the Chief Justice of the Supreme Judicial Court. Probation officers must give bond to the county to the satisfaction of the county commissioners.

I trust that this will answer the questions propounded by Sheriff Foster of Washington County. If you need further legal information on this matter, do not hesitate to give me a ring.

Sincerely yours,

RALPH W. FARRIS
Attorney General

January 31, 1949

To J. Wallace Lovell, Warden, Maine State Prison

Jack Welch, Administrative Assistant to the Governor, talked with me this morning in regard to who has authority to return a prisoner who has violated his parole.

Under Sections 19 and 20 of Chapter 136 a prisoner on parole is deemed to be still serving his sentence and is in the legal custody of the Warden and shall be subject at any time to be taken back within the enclosure of the prison for any reason that may be satisfactory to the Warden, and full power to retake and return any such paroled prisoner to the prison from which he was allowed to go at large is expressly conferred upon the Warden of the prison, whose written order will be a sufficient warrant authorizing all officers named therein to return such paroled prisoner to actual custody in the prison from which he was permitted to go at large. When he has returned the parolee to prison, the Warden shall at once report the fact and his reasons therefor to the Parole Board and his action shall stand approved unless reversed by a majority vote of said Board; but no prisoner shall be returned twice for the same offense. . . .

RALPH W. FARRIS
Attorney General