

MAINE STATE LEGISLATURE

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December 3, 1951

To Norman U. Greenlaw, Commissioner of Institutional Service
Re: Damage by Escaped Inmates - State School for Boys

We have your memo of October 16, 1951, in which you inquire as to the liability of the State School for Boys where boys from that institution, while on escape, damaged and carried away property of a private citizen to the value of several hundred dollars.

You ask: "Can Superintendent Purinton pay for this damage out of his regular operating appropriation or should Mr. Griffin seek to recover his loss through the legislature?"

Please be advised that it is our opinion that Superintendent Purinton may not pay for such damage out of his operating appropriation, the State not being a guarantor for private citizens against damage caused by escaped prisoners. As to whether or not Mr. Griffin can recover his loss through the legislature, such a question is purely within the discretion of the legislature; and while we feel that the legislature will probably not compensate Mr. Griffin for such loss, it is his perfect right to apply and have the legislature answer the question.

James G. Frost
Assistant Attorney General

jgf/c