

MAINE STATE LEGISLATURE

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April 22, 1963

Allan L. Robbins, Warden

Maine State Prison

Courtland D. Perry, Assistant Atty. Gen'l.

Mental Health and Corrections

Exaction of Payment from Inmates for Damages Caused to Prison Furnishings.

You have asked of this office whether you can legally demand from an inmate the cost of cell furnishings destroyed by him, and asked if the costs could be deducted from his prison account, or from his release money.

The State, in such instances, is situated as is any other property owner whose property has been destroyed by another, and may make demand for compensation for the damage, but may not take such compensation from the prisoner's account without the agreement of the inmate. If an inmate should agree to pay for the damage caused, and his prison account would bear the freight, it would be advisable to obtain a written sworn statement from the inmate that he agreed to pay and that the payment was freely made.

You, as Warden, however, may, at the time of discharge of a destructive inmate, decline to provide such inmate with any release money. The authority for this is found in Section 49, Chapter 27 of the Revised Statutes.

Courtland D. Perry
Assistant Attorney General

CDP/r

cc: Attorney General's Department