

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

Use of State Prison Pistol Range

You have requested of this office an opinion as to whether the State would be liable, in the event that an accident should occur while an outside organized group makes use of the State Prison Pistol Range.

In such instances, the State, by opening its pistol range to the use of outside organized groups assumes as its only duty with respect thereto, the provision of a safe facility suited for the purpose.

Should an accident occur, the proximate cause of which is an unsafe condition existing at the range, an action against the State might result in a judgment against the State. Of course, the doctrine of sovereign immunity would prevent such an action from being brought against the State without its consent.

Courtland D. Perry
Assistant Attorney General

CBP/r

cc: Attorney General's Department