

MAINE STATE LEGISLATURE

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July 16, 1963

John J. Shan, Director

Division of Probation and Parole

Courtland W. Perry, Asst. Asst. Com'l.

Mental Health and Corrections

Reformatory for Young Men and Women--Attendance at Daytime Schools.

You have asked of this office whether inmates of the reformatory for young men and women and juveniles transferred from the Juvenile Training Center, may participate in a program whereby they would be allowed to live in a house on the reformatory property and would be allowed to attend schools in the Daytime area.

Section 36, Chapter 27 of the L.S., as amended provides:

"The state shall maintain a reformatory in which all persons over the age of 16 years and under the age of 40 years who have been adjudicated juvenile offenders, or who have been convicted of or have pleaded guilty to crimes in the courts of the state or of the United States, and who have been duly sentenced and removed thereon, shall be imprisoned and detained in accordance with the sentence or order of said courts and the rules and regulations of said reformatory. The head of the reformatory shall be a warden and be called the superintendent."

It is the opinion of this office that a program of the nature in question may be established and governed by rules and regulations of the reformatory, and that inmates could be detained subject to such rules and regulations. Should an inmate participating in such a program deviate therefrom by absconding without leave, either from the residence or from a school being attended by status would be that of escape and would be handled as in other cases of escape from the reformatory.

Those sentenced to the State Prison and in execution of their sentence at the reformatory could not be participants in such a program, since they are subject to rules and regulations of the prison.

Journalist, however, transferred from the Bureau Training Center,
being subject to the rules and regulations of the laboratory, upon transfer
could participate in such a program.

William D. Barry
Assistant Attorney General

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and Attorney General's Department