

MAINE STATE LEGISLATURE

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STATE OF MAINE
Inter-Departmental Memorandum

Date October 5, 1964

To Walter F. Ulmer, Commissioner Dept. Mental Health and Corrections
From Courtland D. Parry, Asst. Atty. General Dept. Attorney General
Subject Responsibility of Warden of Maine State Prison with Respect to Women
Sentenced thereto.

FACTS:

All women sentenced to the Maine State Prison are transported directly from the place of sentence to quarters at the Reformatory for Women wherein they are confined.

QUESTION:

What responsibilities has the Warden of the Maine State Prison with respect to women sentenced to the prison and confined at the Reformatory for Women, and what records must be kept at the Maine State Prison with respect to women prisoners?

REMARKS:

Since the women in question are sentenced to the Maine State Prison the Warden should receive from the sentencing Court an attached copy of the commitment order. The original of such order would accompany the prisoner when transported from the place of sentence to the Reformatory for Women and would remain on file at that institution.

Under provisions of R.S. 1954, c. 27, §23-A, the Warden of the Maine State Prison, and not the Superintendent of the Reformatory for Women is responsible for decisions with respect to allowing such women prisoners to attend funerals.

In the event, that a woman prisoner should require hospitalization outside the institution the Warden of the State Prison should be advised of such woman's removal and return, and the security provided during such hospitalization should be in accordance with the rules of the prison established for such cases.

In the event a woman prisoner should escape the statutes are of little help and at this time it would be difficult to say whether such escape would be considered to be from the Reformatory or from the Prison. An amendment to R.S. 1954, c. 27, §42 is needed.

The State Probation and Parole Board should act with respect to such women just as it would in the case of male prisoners. When parole is granted to a woman prisoner the records of the Maine State Prison should show such parole. While on parole a woman prisoner is under the custody of the Warden of the Maine State Prison.

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In the event of parole violation in the case of a woman prisoner the records of the State Prison should show her return to confinement. The certificate of discharge issued in the case of any woman prisoner should be signed by the Warden of the Maine State Prison. Throughout confinement a woman prisoner is subject to the rules governing prisoners at the Maine State Prison, administered, however, by the Superintendent of the Reformatory.

The records of the Maine State Prison should show the status of all women prisoners; sentence, parole, parole revocation and return, hospitalization, transfer to an institution for the mentally ill or the mentally retarded and return, and discharge.

Courtland D. Perry
Assistant Attorney General

CDE/ε