

MAINE STATE LEGISLATURE

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JOSEPH E. BRENNAN
ATTORNEY GENERAL



RICHARD S. COHEN
JOHN M. R. PATERSON
DONALD G. ALEXANDER
DEPUTY ATTORNEYS GENERAL

STATE OF MAINE
DEPARTMENT OF THE ATTORNEY GENERAL
AUGUSTA, MAINE 04333

August 2, 1976

Ralph I. Yarnell, Jr.
Executive Director
Northeastern Regional
American Association of Christian Schools
Route 1, Box 6 - Outer Broadway
Bangor, Maine 04401

Re: Corporal Punishment.

Dear Mr. Yarnell:

Your letter of July 16, 1976, to Senator Howard M. Trotsky was delivered to me by the Senator with the request that this office respond directly to you.

You have expressed a concern about "the possibility that corporal punishment will no longer be legal" in private Christian schools. It is strongly recommended that you contact private counsel as to what leeway there is available for the use of physical force by your teachers under the Maine Criminal Code, specifically, Title 17-A, § 106, ¶¶ 1 and 2, Maine Revised Statutes Annotated. It may well be that your teachers have received the necessary authority from each of the student's parents so as to be able to use corporal punishment where necessary. Please refer to the second sentence of paragraph 1 of section 106.

I trust the above answers many of the concerns expressed in your letter.

Respectfully yours,

Joseph E. Brennan
JOSEPH E. BRENNAN
Attorney General

JEB/ec

cc: Senator Howard M. Trotsky
Waldemar Buschmann, Esquire