

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE

79-13 A

Inter-Departmental Memorandum Date February 5, 1979

William Laubenstein

Dept. Attorney General's Office

From Nancy Downs, Administrative Assistant

Dept. Maine Parole Board

Subject Final Discharge of persons serving a life sentence.

As a result of the last Parole Board Meeting, the question has arisen regarding M.R.S.A. title 34 §1678. This section states that the Board may order a discharge, "except that in the case of persons serving a life sentence who may not be discharged from parole in less than ten years after release on parole."

The question is, does the ten years successful parole have to be ten consecutive years without parole violation or does it mean parole periods that equal ten years?

The inmate in question was originally paroled on a Murder sentence in March 1970. He violated his parole in February 77, at that time was denied six months and re-paroled, in December 77 a warrant was issued, he was apprehended and in May 78 he was again denied time and re-paroled. Once again he violated and this month he was denied a year. His total periods on parole equal almost seven years, the Board is not certain if the seven years parole can be credited toward the ten year requirement in § 1678.

Thank you for your consideration in this matter.

cc: RKC
File

copy NOV. 27, 1978
MAY 12, 1979
AUG 1, 1979