

MAINE STATE LEGISLATURE

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(Governor's Bill)
FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 604

S. P. 217

In Senate, February 4, 1981

Referred to the Committee on Health and Institutional Services. Sent down for concurrence and ordered printed.

MAY M. ROSS, Secretary of the Senate

Presented by Senator Pray of Penobscot.

Cosponsors: Representative Prescott of Hampden, Senator Perkins of Hancock and Senator Gill of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Create the Charleston Correctional Center within the Department of Mental Health and Corrections.

Be it enacted by the People of the State of Maine, as follows:

34 MRSA c. 68 is enacted to read:

CHAPTER 68

CHARLESTON CORRECTIONAL CENTER

§ 871. Establishment

The State shall maintain an institution located at Charleston for the confinement and rehabilitation of persons previously convicted, or who have pleaded guilty to crimes in the courts of the State, and who have been duly sentenced and committed to the Maine Correctional Center or the State Prison. These persons shall be evaluated for security status, program needs and emotional stability by the classification process at the Maine Correctional Center or the State Prison prior to assignment to this center. The purposes of the Charleston Correctional Center include vocational and academic education and

work involving public restitution. All persons transferred to the Charleston Correctional Center shall be detained and confined in accordance with the sentences of the court and the policies and procedures of the Department of Mental Health and Corrections. The head of this center is called the Director of the Charleston Correctional Center. The director shall be appointed by the commissioner and shall serve at his pleasure.

The director is responsible to the Director of Corrections for exercising proper supervision over the employees, grounds, buildings and equipment at the center. The director shall, at all times, maintain supervision and control over the inmates at the center in accordance with departmental directives and policy statements. The director may appoint one assistant director who is subject to the Personnel Law. The assistant director or other employee designated by the director in the event there is no assistant director, shall have the powers, perform all duties and be subject to all the obligations and liabilities of the director when the director is absent, unable to perform his duties or the position is vacant.

§ 872. Transfer of inmates

Any inmate transferred to the center may be transferred to the Maine Correctional Center or the State Prison for reasons of security, overcrowding or failure to satisfactorily participate in the center's work and rehabilitative programs. The transfers will be in accordance with the department's classification process. Inmates may be transferred to pre-release or work release centers, half-way houses or specialized treatment facilities and county jails to meet correctional objectives. All time spent in county jails and other correctional facilities or programs shall be credited to the inmate's sentence and appropriate deductions for good time may be made.

§ 873. Powers of officers

Employees of the center shall have the same power and authority as sheriffs in their respective counties, when searching for and apprehending escapees from the center, if so authorized by the director.

§ 874. Educational programs

The center shall maintain suitable courses for academic and vocational education of the inmates assigned. Such equipment, as is needed, shall be maintained, and suitable, qualified instructors employed, as necessary, to carry out the objectives of the institution's programs. The Department of Educational and Cultural Services must approve of the instructors in vocational courses.

§ 875. Employment on public works or services; escape

The department may authorize the employment of inmates at this center on public works with the Department of Inland Fisheries and Wildlife, the Department of Conservation, the Bureau of Public Improvements and the Department of Finance and Administration. The department may further authorize the use of the inmates to provide assistance in the improvement of

property owned by charitable organizations, provided the organizations pay for the transportation of the inmates and per diem compensation for correctional officers or instructors who must accompany the inmates or oversee the work to be performed. The department shall prescribe such rules and conditions as it deems proper to ensure the care and treatment of the inmates and the safe working conditions of its employees and inmates. The employment authorized in this section is for the purpose of providing training to the inmate and to be a form of public restitution for the crime or crimes committed by the individual inmate. The inmates so employed may not be compensated monetarily for the work performed. Any inmate who escapes from these assignments or from any other assignment beyond the grounds of the Charleston Correctional Center is guilty of escape under this Title or under Title 17-A, section 755.

STATEMENT OF FACT

This bill creates a correctional institution on the site of the former Air Force Base at Charleston, Maine. The operation of this center and its varied functions will be under the supervision and policies of the Bureau of Corrections, Department of Mental Health and Corrections.

The correctional system of the State, faced with a limited flexibility in the treatment of the offenders assigned to its custody by the courts, leased the Charleston Air Force Base in 1980 to house prisoners committed to the Maine Correctional Center and the State Prison. The acquiring of the Charleston base through a public benefit conveyance from the Federal Government presents an opportunity to acquire a ready-made institution to meet a growing corrections population and to develop an institution that will provide vocational training, academic education and public restitution work to about 10 to 15% of the state's penal population. This center will also provide the needed flexibility to assign inmates to institutions that properly meet their needs. This addition to the correctional system will also provide a work force to help develop the state's wildlife conservation areas and to perform other beneficial public works.

All essential appropriations for the operation of the Charleston Correctional Center as created by this bill are included in the Department of Mental Health and Corrections' budget request. These appropriations for the Charleston facility request \$381,038 for fiscal year 1982 and \$448,471 for fiscal year 1983.