

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 1396

S.P. 518

In Senate, April 1, 1991

Submitted by the Department of Corrections pursuant to Joint Rule 24.  
Reference to the Joint Select Committee on Corrections suggested and ordered printed.

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator GILL of Cumberland

Cosponsored by Senator BUSTIN of Kennebec, Representative MELENDY of Rockland and Representative NORTON of Winthrop.

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STATE OF MAINE

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

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An Act to Establish the Maine Correctional Institution - Warren.

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

4 34-A MRSA c. 3, sub-c. VIII is enacted to read:

6 SUBCHAPTER VIII

8 MAINE CORRECTIONAL INSTITUTION - WARREN

10 §4001. Establishment

12 There is established the Maine Correctional Institution -  
14 Warren, located at Warren for the confinement and rehabilitation  
16 of persons who have been duly sentenced and committed to the  
18 custody of the department and persons who have been transferred  
20 to the custody of the department and for the confinement of  
22 persons who have been lawfully detained in the custody of the  
24 department pending court proceedings.

26 §4002. Warden

28 1. Chief administrative officer. The chief administrative  
30 officers of the Maine Correctional Institution - Warren is the  
32 warden and is responsible to the commissioner. At the discretion  
34 of the commissioner, the warden of the Maine State Prison may  
36 also be the warden of the Maine Correctional Institution - Warren.

38 2. Duties. In addition to other duties set out in this  
40 Title, the warden has the following duties.

42 A. The warden shall exercise proper supervision over the  
44 employees, grounds, buildings and equipment at the Maine  
46 Correctional Institution - Warren.

48 B. The warden shall supervise and control the prisoners at  
50 the Maine Correctional Institution - Warren in accordance  
with departmental rules.

3. Powers. In addition to other powers granted in this  
Title, the warden may appoint one deputy warden, subject to the  
Civil Service Law. The deputy warden has the powers, duties,  
obligations and liabilities of the warden when the warden is  
absent or unable to perform the warden's duties.

§4003. Prisoners generally

1. Confinement. All prisoners at the Maine Correctional  
Institution - Warren must be detained and confined in accordance  
with the orders of the court and the rules of the department.

2. Employment. Prisoners in the Maine Correctional  
Institution - Warren may be required to work at tasks normal to

2 the maintenance, service, industrial, agricultural and other  
3 activities of the facility.

4 **§4004. Maine Correctional Institution - Warren employees**

6 **1. Powers. Employees of the Maine Correctional Institution**  
7 **- Warren:**

8  
9 **A. Have the same power as sheriffs in their respective**  
10 **counties to search for and apprehend escapees from the**  
11 **facility when authorized to do so by the warden; and**

12  
13 **B. May carry weapons and other security equipment inside**  
14 **and outside the facility when authorized by the warden in**  
15 **connection with their assigned duties or training.**

16  
17 **2. Uniforms. Employees of the Maine Correctional**  
18 **Institution - Warren may be provided, at the expense of the**  
19 **State, with distinctive uniforms for use when required for the**  
20 **performance of their official duties. The uniforms remain the**  
21 **property of the State.**

22  
23 **§4005. Delivery of prisoners to the Maine Correctional**  
24 **Institution - Warren**

25  
26 **When a person is convicted and sentenced to the department**  
27 **and is to be transported to the Maine Correctional Institution -**  
28 **Warren from any county:**

29  
30 **1. Duties of commissioner. The commissioner shall**  
31 **immediately notify the warden and the sheriff of the county in**  
32 **which the sentencing court is located;**

33  
34 **2. Duties of sheriff. The sheriff of the county in which**  
35 **the sentencing court is located shall:**

36  
37 **A. Transport the person to the prison, using a sufficient**  
38 **number of appointed deputies when necessary; and**

39  
40 **B. Deliver the person to the officer in charge of the**  
41 **facility between the hours of 8:00 a.m. and 4:00 p.m. on any**  
42 **day, unless prior arrangements for an alternative time have**  
43 **been made with the warden, accompanied by a duly signed**  
44 **warrant of commitment and record, as provided by Title 15,**  
45 **section 1707;**

46  
47 **3. Duties of jail keeper. When, during the conveyance of a**  
48 **person to the facility in pursuance of a sentence, it is**  
49 **necessary or convenient to lodge the person for safekeeping in a**  
50 **jail until the remainder of the conveyance can be conveniently**  
**performed, the keeper of the jail shall:**

