

MAINE STATE LEGISLATURE

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SEVENTY-SEVENTH LEGISLATURE

SENATE

NO. 215

In Senate, Feb. 26, 1915.

Reported by Sen. Allen from Committee on State School for Boys and Industrial School for Girls and ordered printed under joint rules.

W. E. LAWRY, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIFTEEN

AN ACT to establish a Reformatory for Women.

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

Section 1. The state shall establish and maintain a reform-
2 atory in which all women over the age of sixteen years who
3 have been convicted of or have pleaded guilty to crime in
4 the courts of the state or of the United States, and who
5 have been duly sentenced and removed thereto, shall be
6 imprisoned and detained in accordance with the sentences
7 or orders of said courts and the rules and regulations of
8 said reformatory.

Sect. 2. Immediately after the passage of this act, the
2 Governor shall, with the advice of the Council, appoint five

3 persons, of whom at least two shall be women, all of whom
4 shall be inhabitants of this state, to be trustees of such re-
5 formatory. The terms of office of such trustees shall be
6 five years and they shall be so appointed that the term of
7 one of them shall expire on the first Tuesday of February
8 in each year. Any person appointed to fill a vacancy in
9 the board of trustees shall hold office for the remainder of
10 the term of the person whom he or she succeeds.

Sect. 3. Said board of trustees shall have the general su-
2 perintendence, management and control of said reformatory,
3 of the grounds and buildings, officers and employees there-
4 of, of the inmates therein, and of all matters relating to the
5 government, discipline, contracts and fiscal concerns thereof,
6 and may make such rules and regulations as may seem to
7 them necessary, for carrying out the purposes of said in-
8 stitution. Such board of trustees shall constitute a board of
9 parole and shall have the power to parole or discharge in-
10 mates as hereinafter provided.

Sect. 4. The board of trustees shall appoint from among
2 its members a president and a secretary, who shall hold of-
3 fice for such length of time as such board may determine.
4 They shall appoint a woman superintendent who shall hold
5 office during the pleasure of the board, and shall fix the
6 compensation of such superintendent and the compensation
7 of all other officers and employees.

Sect. 5. The superintendent shall, subject to the direction
2 and control of the board of trustees,

1st. Have the general supervision and control of the
4 grounds and buildings of the institution, the subordinate of-
5 ficers and employees and inmates thereof, and all matters
6 relating to their government and discipline ;

2nd. Make such rules, regulations and orders, not incon-
8 sistent with law, or the rules, regulations or directions of
9 the board of trustees, as may seem to her proper or neces-
10 sary for the government of such institution and its officers
11 and employees, and for the employment, discipline and edu-
12 cation of the inmates thereof ;

3rd. Exercise such other powers and perform such other
14 duties as the board of trustees may prescribe.

Such superintendent shall also have the power to appoint
16 and remove all subordinate officers and employees.

Sect. 6. On or before the first day of October in each year,
2 the trustees shall furnish a report to the Governor and
3 Council containing the history of the institution for the
4 year, and a complete statement of all accounts, with all the
5 funds, general and special, appropriated or belonging to said
6 institution, with a detailed statement of disbursements.

Sect. 7. When a woman over the age of sixteen years is
2 convicted before any court or trial justice having jurisdic-
3 tion of the offense, of an offense punishable by imprison-
4 ment in the state prison, or in the county jail, or in any
5 house of correction, such court or justice may order her
6 commitment to the reformatory for women, or sentence her
7 to the punishment provided by law for the same offense.

8 When a woman is sentenced to the reformatory for women,
9 the court or trial justice imposing the sentence shall not
10 prescribe the limit thereof, unless it be for a term of more
11 than five years; but no woman committed to the reformatory
12 upon a sentence without prescribed limit, as aforesaid, shall
13 be held therein for more than five years if sentenced for
14 felony, nor for more than three years if sentenced for a
15 misdemeanor. If the sentence imposed upon any woman
16 be for more than five years, she shall be so held for such
17 longer term.

Sect. 8. The judge or magistrate committing a woman
2 pursuant to this act, shall cause the superintendent of the
3 reformatory to be immediately notified of such commitment,
4 and shall cause a record to be kept of the name, age, birth-
5 place, occupation, previous commitments, if any, and for
6 what offense, the last place of residence of such woman,
7 and the particulars of the offense for which she is commit-
8 ted. A copy of such record shall be transmitted with the
9 warrant of commitment to the superintendent of such in-
10 stitution, who shall cause the facts stated therein and such
11 other facts as may be directed by the board of trustees to
12 be recorded in such form as the board of trustees shall de-
13 termine.

Sect. 9. Such judge or magistrate shall, before committing
2 any such woman, inquire into and determine the age of such
3 woman at the time of her commitment, and her age as so
4 determined, shall be stated in the mittimus. The statement

5 of the age of such woman in such mittimus shall be conclu-
6 sive evidence as to such age in any action to recover dam-
7 ages for her detention or imprisonment under such mittimus,
8 and shall be presumptive evidence thereof in any other in-
9 quiry, action, or proceeding relating to such detention or
10 imprisonment.

Sect. 10. If any woman committed to said reformatory
2 is, at the time of her commitment, the mother of a nursing
3 child in her care and under one year of age, or is pregnant
4 with child which shall be born after such commitment, such
5 woman may retain such child in said reformatory until
6 it shall be two years of age, when it must be removed there-
7 from. The board of trustees may cause such child to be
8 placed in any asylum for children in this state and pay for
9 the care and maintenance of such child therein at a rate
10 not to exceed two and one-half dollars a week, until the
11 mother of such child shall have been discharged, or may
12 commit such child to the care and custody of some relative
13 or proper person willing to assume such care. If such
14 woman, at the time of such commitment, shall be the mother
15 of and have under her exclusive care, a child more than one
16 year of age, which might be otherwise left without proper
17 care or guardianship, the magistrate committing such woman
18 shall cause such child to be committed to such asylum as
19 may be provided by law for such purposes, or to the care
20 and custody of some relative or proper person willing to
21 assume such care.

Sect. II. When it appears to the trustees that a woman who
2 has been sentenced to the reformatory for women has re-
3 formed, they may issue to her a permit to be at liberty pro-
4 viding that some suitable employment or situation has been
5 secured in advance for such woman, and upon such other
6 conditions as the trustees shall prescribe during the re-
7 mainder of the term for which she might otherwise be held
8 in said reformatory, and they may revoke said permit at
9 any time before its expiration; but no such permit shall be
10 issued to any woman who has been sentenced for more than
11 five years. If a permit so issued to any woman be revoked,
12 or if a woman escape from the reformatory, the board of
13 trustees may cause her to be re-arrested and returned there-
14 to for the unexpired portion of her term, dating from the
15 time of her escape or the revocation of her permit. Any
16 inmate ordered returned to the reformatory may, on the
17 order of the superintendent or other officer of the institu-
18 tion, be arrested and returned to the reformatory, or to any
19 officer or agent thereof, by any sheriff, constable, police
20 officer, state agent for the protection of children, or other
21 person, and may also be arrested and returned by any offi-
22 cer or agent of the reformatory.

Sect. 12. Nothing herein contained shall be construed to
2 interfere with the power of the Governor to grant a pardon
3 or commutation in any case.

Sect. 13. The board of trustees shall determine the kind
2 of employment for women committed to the reformatory

3 and shall provide for their necessary custody and superin-
4 tendence. The provisions for the safe keeping or employ-
5 ment of such women shall be made for the purpose of teach-
6 ing such women a useful trade or profession, and improving
7 their mental and moral condition.

Sect. 14. The board of trustees shall, subject to the ap-
2 proval of the Governor and Council, select and purchase a
3 suitable site for such reformatory, consisting of not less
4 than two hundred acres of land. Part of the acreage pur-
5 chased shall be land that is arable or may be made so, to
6 the end that, so far as practicable, the food for the inmates
7 of the reformatory may be produced on such land.

Sect. 15. The board of trustees shall proceed as soon as
2 practicable after the purchase of the site to erect thereon
3 and properly furnish and equip suitable buildings and struc-
4 tures to accomplish the objects set forth in this act.

Sect. 16. The trustees shall receive for their services in
2 the performance of their duties connected with the purchase
3 of the site and the construction and equipment of the build-
4 ings, and for the term of service subsequent to the com-
5 mencement of the operation of the said institution and the
6 receiving therein of inmates committed, the sum of five
7 dollars per day when actually employed, and expenses neces-
8 sarily incurred by them.

Sect. 17. The board of trustees shall have power to ap-
2 point a superintendent of construction for the building of
3 the said reformatory and to employ such other persons as
4 it may deem necessary to secure the speedy and economical

5 construction of the said reformatory and the improvement
6 of the said site. The plans and specifications approved and
7 adopted by the board of trustees shall provide for buildings
8 which shall be constructed on the cottage system and in
9 such manner as to admit of the proper classification of the
10 inmates according to their mental and moral condition and
11 the care, instruction and employment which they should re-
12 spectively receive. Additional buildings may be erected
13 from time to time as the needs of the institution shall re-
14 quire and as the legislature shall appropriate funds for their
15 construction.

Sect. 18. In the construction of said buildings or the im-
2 provement of the said site, no contract involving an expendi-
3 ture of more than five hundred dollars shall be made un-
4 less the same be duly advertised and competitive bids there-
5 on received.

Sect. 19. All bills contracted by the board of trustees, as
2 aforesaid, in purchasing a site and improving the same and
3 in erecting, repairing and equipping suitable buildings and
4 operating the institutions shall be audited by the State Audi-
5 tor and paid by the State Treasurer in the manner pro-
6 vided by law.

Sect. 20. A sum of money not exceeding twenty thou-
2 sand dollars shall be appropriated under this act to be used
3 and expended for the purposes herein named during the
4 year 1915, and the sum of thirty thousand dollars during
5 the year 1916.

Sect. 21. All acts and parts of acts inconsistent with this
2 act are hereby repealed.