

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)

LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 1980 to June 19, 1981

AND AT THE

FIRST SPECIAL SESSION
August 3, 1981

**PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE
3, SECTION 164, SUBSECTION 6.**

K.J. Printing Co.
Augusta, Maine
1981

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND TENTH LEGISLATURE

1981

CHAPTER 382

S. P. 217 — L. D. 604

AN ACT to Create the Charleston Correctional Facility 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 FACILITY

§ 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 facility. The purposes of the Charleston Correctional Facility include vocational and academic education and work involving public restitution. All persons transferred to the Charleston Correctional Facility 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 Facility.

The director is responsible to the Director of Corrections for exercising proper supervision over the employees, grounds, buildings and equipment at the facility. The director shall, at all times, maintain supervision and control over the inmates at the facility 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 facility may be transferred to the Maine Correctional Center or the State Prison for reasons of security, overcrowding or failure to participate satisfactorily in the facility's work and rehabilitative programs. The transfers will be in accordance with the department's

classification process. Inmates may be transferred to prerelease 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 facility shall have the same power and authority as sheriffs in their respective counties, only insofar as searching for and apprehending escapees from the facility are concerned, when so authorized by the director.

§ 874. Educational programs

The facility 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

The department may authorize the employment of inmates at this facility on public works with any department, agency or entity of state, county or local government. The department may further authorize the use of the inmates to provide assistance in the improvement of property owned by nonprofit organizations, and may request that 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.

§ 876. Escape

Any inmate who escapes from the facility or from any assignment beyond the grounds of the Charleston Correctional Facility is guilty of escape under this Title or Title 17-A, section 755.

Effective September 18, 1981