

MAINE STATE LEGISLATURE

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CHAPTER 65

MEN'S REFORMATORY

Sec.

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§ 801. Maintenance; age groups

The State shall maintain a reformatory in which all males over the age of 16 years, except as provided in Title 15, section 2717, and under the age of 36 years who have been adjudicated juvenile offenders, or who have been convicted of or have pleaded guilty to crime in the courts of this State or of the United States, and who have been duly sentenced and removed thereto, shall be imprisoned and detained in accordance with the sentences or orders of said courts and the rules and regulations of said reformatory. The provisions for the safekeeping or employment of such inmates shall be made for the purpose of teaching such inmates a useful trade or profession, and improving their mental and moral condition.

The head of the institution shall be called the superintendent.

R.S.1954, c. 27, § 66; 1955, c. 318, § 1; 1959, c. 342, § 5.

§ 802. Commitments for less than 3 years to be indeterminate

When, before any court having jurisdiction, a male over the age of 16 years and under the age of 36 years is adjudicated a juvenile offender, or is convicted of any offense punishable by imprisonment in the State Prison, or in any county jail or in any house of correction, such court may order his commitment to the Reformatory for Men, or sentence him to any other punishment provided by law for the same offense. Any such person known by the court having jurisdiction of the offense to have been previously committed to a State Prison shall not be committed to said re-

formatory. When a male is ordered committed to the Reformatory for Men, the court ordering the commitment shall not prescribe the limit thereof, but no male committed to the reformatory shall be held for more than 3 years.

If through oversight, or otherwise, any person is committed to imprisonment in the said Reformatory for Men for a definite period of time, said commitment for that reason shall not be void, but the person so committed shall be entitled to the benefit, and subject to this section, in the same manner and to the same extent as if the commitment had been in the terms required by this section. In such case the superintendent of the reformatory shall deliver to such offender a copy of this chapter.

R.S.1954, c. 27, § 67; 1955, c. 318, § 2; 1959, c. 342, § 6; 1963, c. 402, § 45.

§ 803. Notice to superintendent by court; copy of record with warrant

The judge making a commitment pursuant to section 802 shall cause the superintendent of the reformatory to be notified immediately of such commitment and shall cause a record to be kept of the name, age, birthplace, occupation, previous commitments, if any, and for what offense, the last residence of such person so committed and the particulars of the offense for which he is committed. A copy of such record shall be transmitted with the warrant of commitment to the superintendent of such reformatory, who shall cause the facts stated therein and such other facts as may be directed by the department to be recorded in such form as the department may direct.

R.S.1954, c. 27, § 68; 1963, c. 402, § 46.

§ 804. Court to determine age of person committed

Such judge shall, before committing any such person, inquire into and determine the age of such person at the time of commitment, and his age so determined, shall be stated in the mittimus. The statement as to the age of said person so committed shall be conclusive evidence as to such age in any action to recover damages for his detention or imprisonment under such mittimus, and shall be presumptive evidence thereof in any other inquiry, action or proceeding relating to such detention or imprisonment.

R.S.1954, c. 27, § 69; 1963, c. 402, § 47.

§ 805. Classification, conduct records and parole eligibility

The superintendent of the reformatory shall classify each person committed thereto and keep a monthly record of his behavior and his progress in industry.

R.S.1954, c. 27, § 70; 1957, c. 387, § 10.

§ 806. Parolees; record forwarded to State Police

Whenever any person, who has been convicted of an offense under Title 17, chapter 67 or chapter 103, is discharged according to law, the superintendent shall make and forward to the State Police a copy of the record of said inmate together with such other information as he may deem important for a full comprehension of the case.

R.S.1954, c. 27, § 72; 1957, c. 387, § 12.

§ 807. Escapes; apprehension; assaults

When a person sentenced to the State Reformatory for Men escapes therefrom, the superintendent shall take all proper measures for his apprehension.

Whenever any inmate of said reformatory escapes therefrom, or forcibly attempts to do so or assaults any officer or other person in the government thereof, the superintendent may certify that fact on the original mittimus, with recommendation that said person be transferred to the State Prison and present it to the commissioner for his approval. Upon approval of said recommendation by the commissioner, said inmate shall be transferred from the reformatory to the State Prison, where he shall serve the remainder of the term for which he might otherwise be held at said reformatory, or he may be punished by imprisonment in the State Prison for any term of years. Prosecution under this section may be instituted in any county in which said person may be arrested or in the County of Cumberland but in such cases the cost and expenses of trial shall be paid by the county from which said person was originally committed, and payment enforced as provided in the following paragraph.

Whenever any inmate of the reformatory, not having been sentenced thereto by a court of the county wherein such reformatory is situated and established, shall be convicted in such county of any misdemeanor or felony committed while an inmate of said reformatory, or of an escape therefrom, the cost and expense of trying such convicted inmate, and of his maintenance after

conviction and sentence, if to the county jail of such county, shall be paid by the county from which the said convicted inmate was sentenced. The costs and expenses of such trial shall, in the first instance, be paid by the county wherein such reformatory shall be established, whose commissioners are thereupon authorized to draw their warrant upon the treasurer of the county, from which said convicted inmate was sentenced to said reformatory, for the amount paid by said county wherein said reformatory is established, for said costs and expenses which warrant it shall be the duty of the treasurer upon whom it may be drawn to pay forthwith.

R.S.1954, c. 27, § 73; 1963, c. 414, § 6.

§ 808. Incurribles; proceedings for transfer to State Prison

Any person committed to the Reformatory for Men, whose presence therein may be seriously detrimental to the well-being of the institution or who willfully and persistently refuses to obey the rules and regulations of said institution, may be deemed and declared incorrigible by the superintendent of said reformatory who may certify that fact upon the original mittimus with recommendation that said person be transferred to the State Prison and present said recommendation to a Board of Transfer set up within the department. This board shall consist of the commissioner, the Warden of the State Prison and the Superintendent of the Augusta State Hospital. Such recommendation to become effective must have the unanimous approval of the board to transfer and in such event shall take place forthwith. Any person so transferred shall serve the remainder of the term he might otherwise have been held at the reformatory or upon complaint being made to the proper officer of the District Court, having jurisdiction, said court upon hearing may bind over any person so accused to the term of the Superior Court next to be holden within such county, and if indictment is returned therefor, then upon conviction said incorrigible may be sentenced to the State Prison for not less than one year nor more than 5 years. Upon conviction of such person committed to the Reformatory for Men as such incorrigible and sentence, said person shall be discharged from said Reformatory for Men and be relieved from serving the balance of his sentence in said reformatory. This section, as it relates to the Board of Transfer and its powers, shall apply only to those persons committed to the Reformatory for Men for a felony.

R.S.1954, c. 27, § 75; 1963, c. 402, § 48.