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Proposed Act for a Reformatory for Women: Maine Prison Association

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Maine Prison Association

LAW LEAFLET

No. 2

Proposed Act for a Reformatory
for Women

STATE OF MAINE.

In the year of our Lord one thousand nine hundred and eleven.

An Act to establish a Reformatory for Women.

Be it enacted by the People of Maine as follows:—

Section 1. The State shall establish and maintain a reformatory in which all women over the age of sixteen years who have been convicted of crime in the courts of the 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.

Section 2. The Governor shall, with the advice of the Council, appoint five persons, of whom at least two shall be women, all of whom shall be inhabitants of this State, to be trustees of such reformatory. The terms of office of such trustees shall be five years and they shall be so appointed that the term of one of them shall expire on the first Tuesday of February in each year. Any person appointed to fill a vacancy in the board of trustees shall hold office for the remainder of the term of the person whom he succeeds.

Section 3. Said board of trustees shall have the general superintendence, management and control of said reformatory, of the grounds and buildings, officers and employees thereof, of the inmates therein, and of all matters relating to the government, discipline, contracts and fiscal concerns thereof, and may make such rules and regulations as may seem to them necessary for carrying out the purposes of said institution. Such board of trustees shall constitute a board of parole and shall have the power to parole or discharge inmates as hereinafter provided.

Section 4. The board of trustees shall appoint from among its members a president, secretary and treasurer, who shall hold office for such length of time as such board may determine. They shall appoint a woman superintendent who shall hold office during the pleasure of the board, and shall fix the compensation of such superintendent and the compensation of all other officers and employees.

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

1st, Have the general supervision and control of the grounds and buildings of the Institution, the subordinate officers and employees and inmates thereof, and all matters relating to their government and discipline;

2nd, Make such rules, regulations and orders, not inconsistent with law, or the rules, regulations or directions of the board of trustees, as may seem to her proper or necessary for the government of such institution and its officers and employees, and for the employment, discipline and education of the inmates thereof;

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

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

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

Section 7. When a woman over the age of sixteen years is convicted before any court or trial justice having jurisdiction of the offense, of an offense punishable by imprisonment in the State prison, not for life, or in the county jail, or in any house of correction, such court or justice may order her commitment to the reformatory for women, or sentence her to the punishment provided by law for the same offense. When a woman is sentenced to the reformatory for women, the court or trial justice imposing the sentence shall not prescribe the limit thereof, unless it be for a term of more than five years; but no woman committed to the reformatory upon a sentence without prescribed limit, as aforesaid, shall be held therein for more than five years if sentenced for a felony, nor for more than two years, if sentenced for a misdemeanor. If the sentence imposed upon any woman be for more than five years, she shall be so held for such longer term.

Section 8. The judge or magistrate committing a woman pursuant to this act, shall cause the superintendent of the reformatory to be immediately notified 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 place of residence of such woman, and the particulars of the offense for which she is committed. A copy of such record shall be transmitted with the warrant of commitment to the superintendent of such institution, who shall cause the facts stated therein and such other facts as may be directed by the board of trustees to be recorded in such form as the board of trustees shall determine.

Section 9. Such judge or magistrate shall, before committing any such woman, inquire into and determine the age of such woman at the time of her commitment, and her age as so determined, shall be stated in the mittimus. The statement of the age of such woman in such mittimus shall be conclusive evidence as to such age in any action to recover damages for her 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.

Section 10. If any woman committed to said reformatory is, at the time of her commitment, the mother of a nursing child in her care and under one year of age, or is pregnant with child which shall be born after such commitment, such woman may retain such child in said reformatory until it shall be two years of age, when it must be removed therefrom. The board of trustees may cause such child to be placed in any asylum for children in this State and pay for the care and maintenance of such child therein at a rate not to exceed two and one-half dollars a week, until the mother of such child shall have been discharged, or may commit such child to the care and custody of some relative or proper person willing to assume such care. If such woman, at the time of such com-

mitment, shall be the mother of and have under her exclusive care, a child more than one year of age, which might otherwise be left without proper care or guardianship, the magistrate committing such woman shall cause such child to be committed to such asylum as may be provided by law for such purposes, or to the care and custody of some relative or proper person willing to assume such care.

Section 11. When it appears to the trustees that a woman who has been sentenced to the reformatory for women has reformed, they may issue to her a permit to be at liberty upon such conditions as they shall prescribe during the remainder of the term for which she might otherwise be held in said reformatory, and they may revoke said permit at any time before its expiration; but no such permit shall be issued to any woman who has been sentenced for more than five years. If a permit so issued to any woman be revoked, or if a woman escape from the reformatory, the board of trustees may cause her to be re-arrested and returned thereto for the unexpired portion of her term, dating from the time of her escape or the revocation of her permit. Any inmate ordered returned to the reformatory may, on the order of the superintendent or other officer of the institution, be arrested and returned to the reformatory, or to any officer or agent thereof, by any sheriff, constable, police officer, or other person, and may also be arrested and returned by any officer or agent of the reformatory.

Section 12. The board of trustees shall determine the kind of employment for women committed to the reformatory and shall provide for their necessary custody and superintendence. The provisions for the safe keeping or employment of such women shall be made for the purpose of teaching such women a useful trade or profession, and improving their mental and moral condition.

Section 13. The Governor and Council shall select and purchase a suitable site for such reformatory, and the board of trustees, as soon as appointed and organized, shall proceed, as soon as practicable, to erect thereon and properly furnish and equip suitable buildings and structures to accomplish the object set forth in this act.

Section 14. For all bills contracted by the Governor and Council, as aforesaid, in purchasing a site, the Governor shall draw his warrant upon any money in the treasury not otherwise appropriated, to pay the same, and all bills contracted by the trustees in erecting, repairing and equipping suitable buildings and operating the institution, shall each year be audited by the Governor and Council, and the Governor shall draw his warrant upon any money in the treasury not otherwise appropriated, to pay the same.

Section 15. A sum of money not exceeding thirty-five thousand dollars shall be appropriated under this act to be used and expended for the purposes therein named, within the next two years.

Section 16. The trustees shall receive five dollars (\$5) per day when actually employed, and expenses.

Section 17. All acts and parts of acts inconsistent with this act are hereby repealed.