

**§5402. Duties and powers of the commissioner with respect to probation and parole services**

**1. Appointment.**

[PL 1995, c. 502, Pt. F, §34 (RP).]

**2. Duties.** The commissioner shall:

A. Adopt and enforce rules for field probation and parole officers, juvenile community corrections officers and parole officers in correctional facilities; [PL 2013, c. 133, §27 (AMD).]

B. Appoint, subject to the Civil Service Law, field probation and parole officers, juvenile community corrections officers and such other employees as may be required to carry out adequate supervision of all probationers, parolees from the correctional facilities and other persons placed under the supervision of an employee listed in this paragraph; [PL 2013, c. 491, §6 (AMD).]

C. Prescribe the powers and duties of persons appointed under paragraph B; [PL 1983, c. 459, §6 (NEW).]

D. Provide necessary investigation of any criminal case or matter, including presentence investigation, when requested by the court having jurisdiction; [PL 2013, c. 133, §29 (AMD).]

E. Provide investigation when requested by the board; [PL 1983, c. 459, §6 (NEW).]

F. Cooperate closely with the board, the criminal and juvenile courts, the chief administrative officers of correctional facilities and other correctional facility personnel; [PL 1983, c. 459, §6 (NEW).]

G. Make recommendations to the board in cases of violations of the conditions of parole; [PL 1983, c. 459, §6 (NEW).]

H. Issue warrants for the arrest of parole violators and juveniles who violate conditions of placement on community reintegration status pursuant to section 3810 and former section 4112; [PL 2017, c. 148, §28 (AMD).]

I. Notify the chief administrative officers of correctional facilities of determinations made by the board; [PL 1983, c. 459, §6 (NEW).]

J. Divide the State into administrative districts and staff the districts; [PL 1983, c. 459, §6 (NEW).]

K. Provide instruction and training courses for probation and parole officers and for juvenile community corrections officers; [PL 2013, c. 133, §30 (AMD).]

L. Be executive officer and secretary of the board; and [PL 1989, c. 417, §2 (AMD).]

M. Aggregate the statistics contained in any reports the department receives on individual probationers and make the aggregated statistics available to other state agencies provided the data is aggregated in such a way that statistics pertaining to any individual probationer can not be disaggregated. [PL 1995, c. 502, Pt. F, §34 (AMD).]

[PL 2017, c. 148, §28 (AMD).]

**3. Powers.** The commissioner may:

A. Provide necessary specialized services and procedures for the constructive rehabilitation of juveniles; [PL 1983, c. 459, §6 (NEW).]

A-1. Appoint regional correctional administrators as necessary for the proper performance of the functions of the department, subject to the Civil Service Law.

(1) To be eligible for appointment as a regional correctional administrator, a person must be experienced in correctional management.

- (2) A regional correctional administrator shall report directly to the commissioner or to the deputy commissioner or an associate commissioner if so directed by the commissioner. [PL 2015, c. 291, §6 (AMD).]
- B. Obtain psychiatric, psychological and other necessary services; [PL 2005, c. 265, §20 (AMD).]
- C. Sign documents, including warrants and extradition papers, for the board when so instructed by the board; and [PL 2005, c. 265, §20 (AMD).]
- D. [PL 1995, c. 502, Pt. F, §34 (RP).]
- E. [PL 1995, c. 502, Pt. F, §34 (RP).]
- F. Provide for necessary assessment and supervision procedures and direct the use of adult probation resources and staff to the management of adult probationers with a high risk of reoffending. [PL 2005, c. 265, §21 (NEW).]
- [PL 2015, c. 291, §6 (AMD).]

#### SECTION HISTORY

PL 1983, c. 459, §6 (NEW). PL 1985, c. 785, §§B160,161 (AMD). PL 1985, c. 821, §28 (AMD). PL 1987, c. 402, §A176 (AMD). PL 1989, c. 127, §§12,13 (AMD). PL 1989, c. 417, §§1-3 (AMD). PL 1995, c. 502, §F34 (AMD). PL 2005, c. 265, §§20,21 (AMD). PL 2005, c. 328, §25 (AMD). PL 2005, c. 488, §§19-21 (AMD). PL 2013, c. 133, §§27-30 (AMD). PL 2013, c. 491, §§6, 7 (AMD). PL 2015, c. 291, §6 (AMD). PL 2017, c. 148, §28 (AMD).

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