

**State Reform School, Escape of Inmates From.**

Under Section 9812 of the Revised Codes, any person, whether he be an officer or employee of the state reform school or not, who connives at, procures the escape, or harbors an escaped inmate of said school, knowing such person to be an escaped inmate, for the purpose of assisting in his escape, is guilty of a violation of this section.

Helena, Montana, September 23, 1910.

Mr. Percy Witmer,  
Clerk, State Board of Examiners,  
Helena, Montana.

Dear Sir:—

Replying to your letter of September 19th, requesting an opinion of this office upon the question as to the criminal liability of persons other than officers, or employees of the state reform school, harboring and protecting inmates of said school who have escaped therefrom, I will say:

Section 9812 of the Revised Codes of the State of Montana provides:

"If any officer or employe of said reform school, or any other person shall contrive, procure, and connive at, or otherwise voluntarily suffer the escape of any inmate of said school, every such person on conviction shall be punished by imprisonment in the state's prison for a period of not less than six months, nor more than two years, and be fined in a sum not exceeding one thousand dollars."

Under my construction of this section, I believe that any person, whether he be an officer or employe of said reform school or not, who connives at, procures, or harbors an escaped inmate of said school, knowing such person to be an escaped inmate, for the purpose of assisting in his escape, would come within the provision of this section and can be punished as provided by this section.

Yours very truly,

ALBERT J. GALEN,

Attorney General.