

REX CALL JR.

v.

DEPARTMENT OF CORRECTIONS

Submitted on Briefs January 23, 2020
Decided January 30, 2020

Panel: ALEXANDER, MEAD, GORMAN, JABAR, and HUMPHREY, JJ.

MEMORANDUM OF DECISION

Rex Call Jr. appeals from an order of the Superior Court (Cumberland County, *Horton, J.*) upholding a Department of Corrections decision to deny Call's contact-prohibition waiver request. Pursuant to its policy, *see* DOC Policy 6.3, the Department prohibited Call from having contact with a woman the Department determined to be a victim of domestic violence perpetrated by Call.¹ Call filed a waiver request with the Department which was subsequently denied.

Contrary to Call's contentions, substantial record evidence supports the Department's conclusion that the domestic violence offense occurred. Additionally, Call has not demonstrated that the decision to deny his waiver request exceeded the bounds of reasonable choices available to the Department. *See Stein v. Maine Crim. Justice Acad.*, 2014 ME 82, ¶ 23, 95 A.3d 612.

¹ Call was never convicted of the domestic violence offense giving rise to the prohibition on contact.

To the extent Call raises a due process argument, he has failed to show that he was deprived of a constitutional right as a result of the policy. *See Doe v. Dep't of Health and Human Servs.*, 2018 ME 164, ¶ 16, 198 A.3d 782; *see also Raynes v. Dep't of Corr.*, 2010 ME 100, ¶ 19, 5 A.3d 1038. We find Call's remaining arguments unpersuasive and do not address them further.

The entry is:

Judgment affirmed.

Rex Call, appellant pro se

Aaron M. Frey, Attorney General, and Kimberly L. Patwardhan, Asst. Atty. Gen.,
Office of the Attorney General, Augusta, for appellee Department of Corrections

Cumberland County Superior Court docket number AP-2018-50
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