

# MAINE STATE LEGISLATURE

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1 (New Draft of S.P. 515, L.D 1437)  
2 (New Title)  
3 SECOND REGULAR SESSION  
4

5 ONE HUNDRED AND TENTH LEGISLATURE  
6

7 **Legislative Document**

**No. 2131**

8  
9  
10 S. P. 970 In Senate, March 31, 1982  
Reported by Senator Devoe of Penobscot from the Committee on  
Judiciary and printed under Joint Rules No. 2.

MAY M. ROSS, Secretary of the Senate

11  
12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-TWO  
16

17 AN ACT to Require Notification of the  
18 Victims and the Law Enforcement Officers  
19 When a Plea Bargaining Agreement is to  
20 be Submitted to the Court.  
21

22 Be it enacted by the People of the State of Maine as follows:

23 15 MRSA §812 is enacted to read:

24 §812. Negotiated pleas

25 1. Legislative intent and findings. The Legislature  
26 finds that there is citizen dissatisfaction with plea bar-  
27 gaining which has resulted in some criticism of the criminal  
28 justice process. The Legislature further finds that part of  
29 the dissatisfaction is caused because victims of crimes and  
30 law enforcement officers who respond to those crimes have no  
31 subsequent contact with the cases as they proceed through

1 the courts for judicial disposition. Victims and law  
2 enforcement officers are many times not informed by  
3 prosecutors of plea agreements which are to be submitted to  
4 the court for approval or rejection under existing Maine  
5 Rules of Criminal Procedure. It is the intent of this  
6 section to alleviate these expressions of citizen dissatis-  
7 faction and to promote greater understanding by prosecutors  
8 of citizens' valid concerns. This is most likely to be ac-  
9 complished by citizens and law enforcement officers being  
10 informed of the results of plea negotiations before they are  
11 submitted to the courts. This notification will in no way  
12 affect the authority of the judge to accept, reject or  
13 modify the terms of the plea agreement.

14 2. Notification to victims and law enforcement offi-  
15 cers. Before submitting a negotiated plea to the court, the  
16 attorney for the State shall advise the victim or victims,  
17 if available, and the relevant law enforcement officers of  
18 the details of the plea agreement reached in any prosecution  
19 where the defendant was originally charged with murder, a  
20 Class A, B or C crime or a violation of Title 17-A, chapter  
21 9, 11 or 13.

## 22 STATEMENT OF FACT

23 This new draft requires the state's attorney to notify  
24 the victim of a major crime and the law enforcement officer  
25 involved with that crime that a plea agreement has been  
26 reached and to disclose the details of that agreement.

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