

MAINE STATE LEGISLATURE

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(New Draft of H.P. 225, L.D. 273)
(New Title)

FIRST REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document

No. 1328

H.P. 1027

House of Representatives, March 28, 1983

Reported by Representative Joyce from the Committee on Judiciary and
printed under Joint Rule 2.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-THREE

AN ACT to Provide for Consideration of
the Age of the Victim in Sentencing Criminal
Offenders.

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

17-A MRSA §1151, sub-§8, as enacted by PL 1975,
c. 499, §1, is amended to read:

8. To permit sentences which do not diminish the
gravity of offenses, with reference to such factors,
among others, as the age and vulnerability of the
victim.

1 STATEMENT OF FACT

2 The purpose of this new draft is to make it clear
3 that in sentencing a criminal offender, a judge
4 should take into consideration the age of a victim.
5 A crime committed against an elderly person who is
6 unable to protect himself or herself, and thus is
7 particularly vulnerable to the theft, assault or
8 other crime, should be viewed as a grave offense jus-
9 tifying harsh punishment.

10 This new draft amends the general sentencing
11 provisions of the Maine Criminal Code in the section
12 setting forth the purposes to be served in sentenc-
13 ing. The original bill provided, instead, for manda-
14 tory sentences for persons convicted of a crime in
15 which an elderly person was the victim. This new
16 draft seeks to have this problem addressed on a case
17 by case basis by the sentencing judge.

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